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ELLANEOUS DOCUMENTS

OF THE

USE OF REPRESENTATIVES.

PRINTED DURING

THE FIRST SESSION OF THE THIRTY-NINTH CONGRESS,

1865–'66.

IN THREE VOLUMES.

WASHINGTON:
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39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 1.

A LIST

OF

REPORTS TO BE MADE TO CONGRESS,

DURING THE

FIRST SESSION OF THE THIRTY-NINTH CONGRESS,

BY

PUBLIC OFFICERS.

PREPARED, IN OBEDIENCE TO A STANDING ORDER OF THE HOUSE, BY THE CLERK OF THE HOUSE OF REPRESENTATIVES.

DECEMBER 4, 1865.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1865.

EXTRACT FROM THE RULES AND ORDERS OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

"It shall be the duty of the Clerk to make, and cause to be printed and delivered to each member at the commencement of every session of Congress, a list of the reports which it is the duty of any officer or department of the government to make to Congress; referring to the act or resolution, and page of the volume of the Laws or Journal in which it may be contained, and placing under the name of each officer a list of reports required of him to be made, and the time when the report may be expected."

LIST OF REPORTS

To be made to Congress at the first session of the thirty-ninth Congress by public officers; prepared in obedience to a standing rule of the House of Representatives.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	BY THE PRESIDENT OF THE UNITED STATES.			
	Annual.			
1792, April 2	A statement of the amount, with a description of the coins struck at the mint during the year 1865.	Statutes at Large, volume 1.	249	In January.
1829, March 3	The affairs of the penitentiary in the District of Columbia.	Statutes at Large, volume 4.	366	In January.
1846, Aug. 6	Transfers of appropriations for particular branch of naval service to other branches of said service.	Statutes at Large, volume 9.	101	Before the adjournment, if transferred during the session; if transferred during the recess, the first week of the next session.
1865, March 3	Report of the Commissioner of Freedmen's Affairs, with exhibit of the state of his accounts.	Statutes at Large, 2d session 38th Congress.	508	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	Special.			
1854, Jan. 17	Information as to the accommodation of the several courts of the United States, the expenses incurred therefor, and what provision can be made for their greater accommodation; and also as to the difficulties in the use, by the officers of the United States, of the several State prisons.	House Journal.	230	No time specified.
1854, Jan. 23	A report of all despatches written by A. Dudley Mann whilst employed in the diplomatic service of the United States.	Senate Journal.	120	No time specified.
1854, Aug. 4	Report, commercial and statistical, on sea fisheries of New England and British North American provinces, and their influence on trade.	Senate Journal.	673	No time specified.
1856, Aug. 7	A report relative to the establishment of a consulate at Loo Choo islands.	Senate Journal.	539	During the session.
1858, April 22	A report of such information as the departments of the government may afford concerning the nature, character, and extent of the State duties exacted from foreign vessels and merchandise navigating the Elbe by the kingdom of Hanover, and the grounds of such exactions, and the practicability of obtaining for American shipping an exemption therefrom.	Senate Journal.	371	No time specified.

1858, Jan.	6	A report of the correspondence between the Department of State and our minister near the government of Brazil in relation to the opening of the Amazon river, and the contracting of a reciprocity or other treaty.	House Journal.	141	No time specified.
1858, Jan.	6	A report of all correspondence upon the subject of our relations with Spain not heretofore made public.	House Journal.	141	No time specified
1858, Jan.	18	A report of all correspondence (not yet published) between the government of the United States and the government of France (including that of our minister at the court of France) upon the subject of the abolition of privateering, and the exemption of private property from capture upon the high seas.	House Journal.	195	No time specified.
1858, Feb.	9	Information relative to negotiations with foreign governments since 1850 for the right of free worship and honorable burial to American citizens resident in or travelling through their dominions, and what governments have rejected these propositions, and the reasons assigned therefor.	House Journal.	362	No time specified.
1858, May	19	Report relative to the condition of the work across the isthmus of Tehuantepec, which has been prosecuted under the Sloo grant, and all the instructions heretofore given by the Executive to the minister of the United States in Mexico affecting the operations of the said Sloo, and whether the said grant has passed into the hands of other parties under the advice of the Executive; if so, who said party is, and upon what terms said party has acquired the claim. And also whether any mail contract has been granted to the said persons by this government, or any department thereof; and if so, upon what security or authority.	House Journal.	849	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1859, Jan. 7	Report of the correspondence between her Britannic Majesty's government and the minister of the United States in London touching the abuses of the Amerian flag in the prosecu tion of the African slave trade on the coast of Africa, and especially touching the cruise of the Wanderer on that coast.	Senate Journal.	115	No time specified.
1859, Jan. 11	Report of the correspondence, instructions, and other information in relation to outrages committed on citizens of the United State on the isthmus of Panama, State of New Grenada.	Senate Journal.	126	No time specified.
1859, Jan. 24	Report made to the President of the United States by Thomas Rainey, the special diplomatic agent of the United States to the coast of Africa, relative to the Africans captured from the slave brig Echo and sent to Liberia in the United States steam frigate Niagara.	Senate Journal.	179	No time specified.
1859, Feb. 8	Report of the instructions from the Department of State to William Carey Jones, as special agent of the United States, which are alluded to in executive document of the House of Representatives, No. 2, of the 35th Congress, 2d session, page 58, being a part of a despatch from the Secretary of State to the minister of the United States to Nicaragua and Costa Rica, dated July 25, 1858; also such correspondence, or any part thereof, that Mr. Jones may have had in said capacity with the Department of State, as the publication will be, in the opinion of the President, not incon-	Senate Journal.	281	No time specified.

		sistent with the public interest; also, any correspondence or any facts that may be in the knowledge of the executive departments of the government on which could have been based the following "declaration" of Juan R. Mora and Thomas Martinez, under the name of "the supreme chiefs of the two republics of Nicaragua and Costa Rica," dated at Rivas, May 1, 1858, impeaching official agents of the United States, viz: "That hitherto all the official agents of the United States at Nicaragua have been the accomplices and auxiliaries of the invaders, acting as masters, and audaciously hoisting the flag of the United States in all parts where, as at San Juan del Sur, the flag of Nicaragua only ought to float, and openly menaced Central America with an inevitable annexation." Also, whether any apology or explanation that has been given to this government, on the part of said "supreme chiefs," includes a withdrawal of the impeachment so made against "official agents of the United States;" and also that, as far as may be consistent with the public interest, any apology or explanation that the authorities of Costa Rica and Nicaragua may have made with reference to said declaration.			
1860, March	5	A report of all the correpondence relating to the propositions on maritime law and neutral rights by the congress of Paris, April 16, 1856.	Senate Journal.	216	No time specified.
1860, June	12	Report of such despatches as were received at the Department of State from the legation of the United States in London, bearing date of March, 1856; and also of the despatch of Mr. Marcy to Mr. Dallas, of the date of April 7, 1856, relative to certain propositions for the settlement of the question between the United States and Great Britain in respect to the colony of the Bay Islands.	Senate Journal.	621	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1860, July 19	Report of such portions of the despatches of the minister of the United States at Turin as relates to the occurrence of the recent public events in Italy.	Senate Journal.	726	No time specified.
1860, Feb. 16	Report of the correspondence between this government and the republic of Chili with reference to the withdrawal of the exequatur of William Trevitt, consul at Valparaiso.	House Journal.	304	No time specified.
1860, June 23	Report of all papers and correspondence in the Department of State relating to the case of Michael Zeiter, a native of France and naturalized citizen of the United States, and citizen of Ohio, who has been forced to perform military service in the French army.	House Journal.	1208	No time specified.
1861, Feb. 9	A report of the correspondence between the United States and Peru since 1853 on the subject of the free navigation of the Amazon river and its tributaries.	House Journal.	290	No time specified.
1861, Feb. 12	A copy of the letter of John B. Floyd, late Secretary of War, dated November 3, 1860, relating to the claim of William H. DeGroot.	House Journal.	307	No time specified.
1861, August 3	A report of all correspondence between James E. Harvey and any of the heads of departments, relating to charges against said Harvey, growing out of telegraphic despatches to and from said Harvey seized by the government.	House Journal.	236	Next session.

1862, July	17	A report of the trade and commerce of the great lakes.	House Journal.	1123	Next session of Congress.
1862, Jan.	2	A report of all correspondence on the files of the Department of State since the congress of Paris, in 1856, and not heretofore furnished, relating to neutral and belligerent rights on the ocean.	Senate Journal.	77	No time specified.
1862, April	22	A report of all orders, despatches, and communications made by the War Department, or by the major general commanding the armies of the United States, to Brigadier General Thomas W. Sherman, while in command of the military expedition to the South Atlantic coast, and all communications made by General Sherman during the same period to the War Department and to the commanding general.	Senate Journal.	414	No time specified.
1862, June	27	A report of the honorable Joseph Holt and the honorable Robert Dale Owen, commissioners to investigate ordnance and gun contracts, and that he transmit to the Senate all the evidence taken by said commissioners touching the contracts investigated by them.	Senate Journal.	718	No time specified.
1862, July	5	A report of the amounts due the State of Kansas in the several departments, with a view of applying the same upon the taxes due from said State to the general government.	Senate Journal.	759	No time specified.
1862, July	10	A report of orders of the Executive to Major General George B. McClellan, relative to the advance of the army of the Potomac upon Richmond, and all correspondence between the said General George B. McClellan and the Executive, including that with the War Department, from the date of the President's General Order, No. 1, January 27, 1862, to the 1st day of July, 1862; likewise the numerical forec	Senate Journal.	792	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	of the army of the Potomac, as shown by the morning rolls on the 1st days of November and December, 1861, and January, February, March, and July, 1862; the number of troops which General McClellan took to Fortress Monroe, the number at Fortress Monroe, and the number of re-enforcements supplied him up to and including the 25th day of June, 1862; and that at the date of the departure of General McClellan for the peninsula, how many troops were under command of General Frémont in Western Virginia, under General Banks in the valley of Virginia; what number was in front of Washington, or between it and the Rappahannock, and within the intrenchments of Washington, and in and around Washington, and what number of effective troops were actually in service under General McClellan in his engagements on the peninsula and before Richmond.			
1862, Dec. 5	A report of the number and names of the citizens of Kentucky who have been and who are now confined in the military prisons and camps of the United States, outside of the limits of said State; what are the charges against them, by whom made, and by whose order the arrests were made.	Senate Journal.	31	No time specified.
1862, Dec. 16	A report of any unpublished official correspondence touching the culture of cotton in Asia Minor and Egypt.	Senate Journal.	51	No time specified.

1863, Jan.	12	A report of the measures which have been adopted to enforce the provisions of "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," approved July 17, 1862, *which relate to the seizure and confiscation of the property of rebels;* also, whether any additional legislation is necessary to facilitate the enforcement of said law.	Senate Journal.	96	No time specified.
1863, Jan.	31	A report of the orders issued by the Secretaries of War and of the Treasury in regard to a general prohibition to export arms and munitions of war from the United States, and especially to the Mexican republic, and any orders in regard to the exportation of articles contraband of war for the use of the French army invading Mexico.	Senate Journal.	178	No time specified.
1863, Feb.	5	A report of the number of volunteers and drafted men actually raised and mustered into the service of the United States by the several States of the Union, and the times when their terms of service may have expired, or will hereafter expire.	Senate Journal.	200	No time specified.
1863, Feb.	19	A report of a copy of the letter of Lieutenant General Scott to the Secretary of War of the 4th of October, 1861.	Senate Journal.	283	No time specified.
1864, Feb.	26	A report of copies of any protests he may have from governors of States in the department of Missouri against the removal of Major General Schofield from the command of that department, if, in his opinion, they can be furnished without injury to the public service.	Senate Journal.	192	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1864, March 14	A report of the rules and regulations, and on what terms, prisoners of war are being exchanged between the United States and the rebels.	Senate Journal.	241	No time specified.
1864, March 25	The report of the Commissioner of Emigration for 1863, with his account of the existing contracts and other necessary information on the question of emigration.	Senate Journal.	277	No time specified.
1864, April 1	A report of the names of all persons who have been sentenced by courts-martial for frauds or peculations against the government, and pardoned by him since the 1st of December, 1863, together with the sentences from which his pardon relieved them; and also the names of all persons likewise sentenced by courts-martial for military offences other than fraud or peculation and similarly pardoned.	Senate Journal.	293	No time specified.
1864, May 16	A report of any correspondence received from the United States consuls at Panama and Aspinwall, New Grenada, in relation to abuse and maltreatment of passengers, seamen, firemen, &c., on board steamships plying between New York and Aspinwall.	Senate Journal.	436	No time specified.
1864, June 11	A report to the Senate of copies of all correspondence, orders, and documents, on file in the departments, in relation to the organization by the loyal people of Arkansas of the free State government of that State.	Senate Journal.	544	No time specified.

1864, June	22	Requested to communicate to the Senate any orders issued by the Secretaries of War and the Treasury in regard to a general prohibition to export arms and munitions of war from the United States, and especially to the Mexican republic, and any orders in regard to the exportation of articles contraband of war for the use of the French army invading Mexico.	Senate Journal.	610	No time specified.
1864, June	22	The report of the Commissioner of Emigration, as requested by the resolution passed on the 25th day of March last.	Senate Journal.	611	No time specified.
1863, Dec.	15	The report of Major General Blunt (filed by Gilpatrick) on the matter of peculations from the government in subsistence, clothing, and transporting the refugee Indians.	House Journal.	58	No time specified.
1863, Dec.	21	A report of all the official information and correspondence which he may have received respecting the extension of the southwest branch of the Pacific railroad, and as a war measure, as well as any order he may have made respecting the same, and the causes of revoking said order.	House Journal.	88	No time specified.
1864, Jan.	29	A report stating whether brevet rank has been conferred upon any of the officers of the volunteer forces of the United States, in pursuance of the act of Congress, approved March 3, 1863, and if so, upon whom; and if not, the reasons why it has not been done.	House Journal.	203	No time specified.
1864, March	2	A report of all the diplomatic correspondence on the present state of Mexico, since that published by the 37th Congress; also all the despatches of the honorable E. A. Turpin, minister to Venezuela, relating to the change in that republic from a constitutional form of government to the government of General Paez; also all the correspondence	House Journal.	333	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	between the Secretary and Henry T. Blow and E. D. Culver, the one late and the other present United States minister to Venezuela.			
1864, June 7	A report of the defence of Major General S. R. Curtis against the report made by the McDowell investigating commission, including in such communication all papers and evidence submitted on behalf of General Curtis in said defence.	House Journal.	761	No time specified.
1865, Jan. 16	A report of any information in his possession showing the practical operation of the tenth article of the treaty of Washington of the 9th of August, 1842, and the expediency of giving to her Britannic Majesty's government the notice required for the termination of such article.	Senate Journal.	73	No time specified.
1865, Feb. 6	A report whether, since the second day of July last, there have been granted to any individuals, other than agents of the treasury, any orders, permits, or licenses, to buy, sell, contract, or in any way to deal in cotton or produce in the seceded States; and if so, what have been the nature and extent of such licenses or permits, and to whom the same have been granted, and at whose solicitations, and what orders have been granted to military authorities to aid the same; and further, to inform the Senate what rule of preference has been adopted as to the persons to whom such permits or licenses, if any, have been granted; whether	Senate Journal.	138	No time specified.

1865, Feb. 24	A report of what portion of the State of Louisiana were in the military occupancy of the United States on the first Monday of September, 1864, the date of the ratification of the alleged revised constitution of that State, and what portions of the State were then in the military occupancy of the rebels; and also in what parishes or election districts votes were given for or against the ratification of said instrument.	Senate Journal.	231	No time specified.
	BY THE SECRETARY OF STATE.			
	Annual.			
1798, July 6 1799, March 2	Abstracts of the returns made by collectors of the registered seamen of the United States.	Statutes at Large. volume 1.	696 729	Early in January.
1819, March 2	A list of passengers arriving in the United States from foreign countries during the year 1865.	Statutes at Large, volume 3.	489	Early in February.
1842, Aug. 26	A full and detailed statement of the expenditure of the contingent fund of the State Department, showing to whom payments were made, and for what, &c.	Statutes at Large, volume 5.	527	Commencement of the session.
1842, Aug. 26	Statements of all moneys expended by disbursing officers, acting under the orders of the State Department, during the year 1865.	Statutes at Large, volume 5.	527	In January.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1818, April 20 1842, Aug. 26	The names of the clerks and all other persons employed in the Department of State, or any of its offices, during the year 1865, or any part thereof, with the time each was actually employed, and the sum paid each, and whether they have been usefully employed; whether the services of any can be dispensed with without detriment to the public service; and whether the removal of any, and the appointment of others in their stead, is required for the better despatch of business; and the residence of each at the time of his appointment.	Statutes at Large, volume 3. Statutes at Large, volume 5.	447 525	In January.
1856, Aug. 18	A report of all the fees collected and accounted for by consuls, vice-consuls, commercial agents, and vice-commercial agents.	Statutes at Large, volume 11.	58	During the session.
1856, Aug. 18	A report of the commercial information communicated by the diplomatic and consular officers severally.	Statutes at Large, volume 11.	60	During the session.
	Special.			
1858, April 20	A report of such correspondence as may have taken place between the authorities of this government and that of the government of Chili, in regard to the detention of the American vessels Good Return and Franklin, at the port of Talcahuano, in the year 1832.	House Journal.	653	No time specified.

1863, Jan.	20	A report of any information tending to show that American vessels having cleared from any foreign port for Africa, ostensibly for mercantile purposes, have engaged in the slave trade or coolie trade; and to communicate such suggestions for any necessary legislation to prevent such practices as he shall judge proper.	House Journal.	210	No time specified.
		BY THE SECRETARY OF THE TREASURY.			
		Annual.			
1789, Sept. 2 1800, May 10		A report upon the state of the finances, embracing a general view of the revenue and expenditures of the United States for the years 1865 and 1866.	Statutes at Large, volume 1. Statutes at Large, volume 2.	65 79	Early in December.
1789, Sept. 2 1800, May 10 1842, Aug. 26		An estimate of the appropriations necessary to be made for the service of the year ending June 30, 1867, with a statement of the appropriations, heretofore made, applicable to the service of this year; and a statement of the appropriations of former years, with an estimate of those sums which will not be required to defray expenses incurred in a former year; in which are to be specified the sources from which the estimates are derived, and the calculations upon which they are founded, discriminating between such as are conjectural and such as are not conjectural, with the authority for the estimate.	Statutes at Large, volume 1. Statutes at Large, volume 2. Statutes at Large, volume 5.	65 79 537	Commencement of the session.
1791, Dec.	30	An account of the receipts and expenditures of the United States for the year ending June 30, 1865.	House Journal.	68	Early in December.
1792, April	2	An account of the receipts and expenditures at the mint, with an account of its transactions during the year 1865.	Statutes at Large, volume 1.	249	In February.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1806, April 10 1834, June 25 1834, June 28 1843, March 3	Statement of the result of the assays made at the mint in 1865 of certain foreign gold and silver coins.	Statutes at Large, volume 2. Statutes at Large, volume 4. Do. Statutes at Large, volume 5.	374 681 607	Early in January.
1808, April 21	Statement of contracts and purchases made by collectors for the revenue service of 1865.	Statutes at Large, volume 2.	485	Early in January and are generally included in one report.
1808, April 21	Statement of contracts made by direction of the Treasury Department in 1865. Statement of the amount of the expenditures for the relief of sick and disabled seamen in 1865.	Statutes at Large, volume 2.	485	
1809, March 3	Statement of the payments made at the treasury in 1865 for the discharge of miscellaneous claims not otherwise provided for.	Statutes at Large, volume 2.	536	No time specified.
1810, May 1	Statement of disbursements from the treasury in 1865 for expenses of intercourse with the Barbary powers.	Statutes at Large, volume 2.	609	In February.
1817, March 3	Statement of the affairs and condition of the several banks in the District of Columbia on the 31st of December, 1865.	Statutes at Large, volume 3.	387	In January.

1820, Feb. 10 1830, May 26 1842, Aug. 26	Statement showing the commerce and navigation of the United States for the year ending June 30, 1865.	Statutes at Large, volume 3. House Journal. Statutes at Large, volume 5.	541 608 537	First Monday in December.
1831, May 2 1833, July 14	Names of applicants for the benefit of the act for the relief of certain insolvent debtors; the amount due; the names of those who may have been released, with the terms of compromise.	Statutes at Large, volume 4. Statutes at Large, volume 4.	469 595	During the session.
1832, July 10	Statements of the capital, circulation, discounts, specie, deposits and condition of the State banks.	House Journal.	1110 1117	During the session.
1836, April 20	An account of the fund arising from the sale of lands under certain treaties with the Chickasaw Indians.	Statutes at Large, volume 5.	10	During the session.
1842, Aug. 26	A full and detailed statement of the expenditures of the contingent fund of the several offices of the Treasury Department, showing to whom payments were made, for what made, &c.	Statutes at Large, volume 5.	527	Commencement of the session.
1842, Aug. 26	Statement of all moneys expended by disbursing officers acting under orders of the Secretary of the Treasury during the year 1865.	Statutes at Large, volume 5.	527	In January.
1818, April 20 1842, Aug. 26	The names of all clerks and other persons who have been employed in the Treasury Department during the year 1865, or any part thereof, with the time each person was actually employed, and the sum paid each; also, whether they have been usefully employed; whether the services of any of them can be dispensed with without detriment to the public service; and whether the removal of any	Statutes at Large, volume 3. Statutes at Large, volume 5.	447 525	In January.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	individuals and the appointment of others in their stead is required for the better despatch of business; and the residence of each at the time of his appointment.			
1844, June 17	Reasons for any changes that may have been made in the depositories of the treasury during the recess of Congress.	Statutes at Large, volume 5.	696	Next session.
1846, Aug. 6	Regulations to give full effect to and secure a just accountability under the warehousing system.	Statutes at Large, volume 9.	55	Next session after any such regulations are made.
1846, Aug. 7	Cases of neglect, evasion, or violation of the 18th and 19th sections of the independent treasury act.	Statutes at Large, volume 9.	64	Commencement of the session.
1846, Aug. 10	Statement of stolen uncancelled treasury notes paid.	Statutes at Large, volume 9.	107	With annual report of Secretary of the Treasury.
1847, Jan. 28	Amount of treasury notes issued under act of January 28, 1847; amount redeemed, purchased, reissued, &c.	Statutes at Large, volume 9.	122	Commencement of the session.
1849, March 3	A statement of the amount of money expended at each custom-house in the United States, and the number of persons employed, and the occupation and salary of each person.	Statutes at Large, volume 9.	399	During the session.

1853, March	3	A report of the number and names of the persons employed during the last preceding fiscal year upon the Coast Survey and business connected therewith; the amount of compensation of every kind paid them, for what purpose, and the length of time employed; and to report a full statement of all other expenditures made under the direction of the Superintendent of the Coast Survey; also a general chart of the whole coasts of the United States, &c.	Statutes at Large.	209	In December.
1863, March	3	A report of the number of proceedings and suits commenced, pending, and determined, for frauds upon the revenue, and a statement of all moneys received by the Solicitor of the Treasury and each district attorney.	Statutes at Large, volume 12.	741	During the session.
		Special.			
1856, March	24	A report relative to the building for a custom-house, court-rooms, and post office at Milwaukie, Wisconsin.	Senate Journal.	199	During the session.
1856, May	16	A report relative to experiments on the coinage of the United States, according to the suggestions of Dr. James T. Barclay, together with the results thereof.	Senate Journal.	336	During the session.
1858, Feb.	1	A report of the annual expense of erecting light-houses and supporting the light-house system since the creation of the Light-house Board, and also the expense for the same number of years preceding the establishment of the said board.	Senate Journal.	147	No time specified.
1858, May	22	A report of specific estimates for "retrenchment and reform" in the expenditures for the several branches of the public	Senate Journal.	503	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	service, "to remedy the evils of the excess of expenditures over the means of the government," as mentioned in the report of May 19, 1858; and what efforts have been made, and by whom, since the 4th of March, 1857, to restrain the government to an economical expenditure of the public money, and what have been the results of those efforts.			
1858, June 12	A report of all the collection districts for the collection of duties on imports, showing, in each district, the amount of revenue annually collected; the name of every person employed, directly or indirectly, connected with the collection of the revenue, either as officer or agent, and the amount of compensation paid to each, and the law under which each officer or agent was appointed; the amount expended for salaries of officers and employés annually; the amount expended for custom-houses or rents of offices and warehouses; also, what custom-houses or ports of entry or delivery can be dispensed with, with a proper regard to economy and the security of the collection of the revenue, and consistently with commercial interests, or what modifications of the laws are necessary for the public interests in relation to the collection of customs, and what number of officers can be dispensed with in each of the collection districts.	Senate Journal.	697	Next session specified.

1860, Feb.	16	Report of the action, if any, taken under the 3d and 4th sections of the act of March 3, 1859, entitled "An act making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1860," relating to the construction of public buildings in the city of Philadelphia, and what additional legislation, if any, is necessary to carry out the purposes of said sections.	Senate Journal.	167	No time specified.
1861, July	18	A report of such facts concerning the revenue marine of the United States as will enable them to take such action as may be expedient concerning the remodelling of the same.	House Journal.	104	Next session.
1861, July	22	A report of the amount of money paid to France for the purchase of Louisiana; the amount paid to Spain for the purchase of Florida; the amount, so far as it can be readily ascertained, expended in the late war with Mexico; the amount expended in the wars with the Indians in Florida; the amount expended in removing the Indians from their homes in the several States in which there is now rebellion against the government to a territory west of the Mississippi; the amount expended in surveying the public lands situated in the same States, in deepening harbors, in removing obstructions in rivers and other water-courses, in building fortifications, light-houses, buoys, beacons, dock-yards, court-houses, custom-houses, and post offices, in the same States; the amount expended therein for the establishment of mints, navy yards, arsenals, and armories; the number of acres of land still held by the United States within the boundaries of the same States, and the number of acres of land heretofore granted by the United States to any one of those States, or to any corporation therein, for education, public improvements, or for other purposes; and the amount of	House Journal.	127	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	money expended by the United States in extinguishing Indian titles to lands situated in said States; and the number of acres of such lands to which the State of Georgia became entitled under the contract between that State and the United States.			
1862, March 3	A report of the amounts of the subscriptions to the national loan authorized by the act of July 17, 1861, the amounts collected on such subscriptions, and the purposes to which the amounts so collected have been appropriated.	House Journal.	382	No time specified.
1862, June 2	A report relative to the expediency or necessity for the establishment of a branch of the mint of the United States in the Territory of Nevada, and whether or not such measure would advance the public interests and public convenience.	House Journal.	783	No time specified.
1862, June 5	A report of the amount of money paid into the treasury of the United States as the proceeds of the sales of vessels and cargoes which have been captured by the navy of the United States on the high seas since the commencement of the present war; from whence and when received, with the particulars thereof, and whether any part of such moneys has been paid to the officers and seamen of the vessels by which the captures were made; and if not, that he state the purposes of his de-	House Journal.	808	No time specified.

1860, Feb.	16	Report of the action, if any, taken under the 3d and 4th sections of the act of March 3, 1859, entitled "An act making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1860," relating to the construction of public buildings in the city of Philadelphia, and what additional legislation, if any, is necessary to carry out the purposes of said sections.	Senate Journal.	167	No time specified.
1861, July	18	A report of such facts concerning the revenue marine of the United States as will enable them to take such action as may be expedient concerning the remodelling of the same.	House Journal.	104	Next session.
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LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	money expended by the United States in extinguishing Indian titles to lands situated in said States; and the number of acres of such lands to which the State of Georgia became entitled under the contract between that State and the United States.			
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1862, June 5	A report of the amount of money paid into the treasury of the United States as the proceeds of the sales of vessels and cargoes which have been captured by the navy of the United States on the high seas since the commencement of the present war; from whence and when received, with the particulars thereof, and whether any part of such moneys has been paid to the officers and seamen of the vessels by which the captures were made; and if not, that he state the purposes of his de-	House Journal.	808	No time specified.

		partment with reference to making such payments to such officers and seamen under any claim based upon the laws of the United States in reference to captures on the high seas.			
1862, Jan.	28	A report of the further legislation necessary to enable the executive department to take charge of the cotton and other lands in South Carolina and elsewhere on our southern coast, now in possession of the troops of the United States, and to place the same under cultivation; and also whether any further legislation is necessary to provide suitably for the blacks in those localities now under the protection of our government, and to furnish them with proper employment.	Senate Journal.	147	No time specified.
1862, Feb.	28	A report made by Edward L. Pierce, agent to Port Royal, and such other information as may be in the possession of the Treasury Department relating to the condition and wants of the people of color in the district of South Carolina held by the military forces of the United States, and also what measures have been taken for the occupation of the lands which have come into the possession of the military forces in that State.	Senate Journal.	252	No time specified.
1864, Feb.	8	A report of the amount of moneys paid out of the treasury of the United States to Victor Smith or other parties, in liquidation of donation or pre-emption claims, building or rent of custom-house, or other expenses connected therewith, at Fort Angelos, Washington Territory.	House Journal.	240	No time specified.
1865, Feb.	18	Report of the amount of import duties and charges remitted by his orders since the 1st day of January, 1864, upon goods furnished to the army and navy of the United States, together with the description of the goods upon which such duties were so remitted.	House Journal.	287	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1865, Feb. 23	Report of such information concerning the act of May 6, 1864, to regulate the admeasurement of tonnage of ships and vessels as shall exhibit— 1. The effect of said act upon the amount of registered tonnage, distinguishing between sailing vessels and others. 2. The expediency of any modification for perfecting said act, and to indicate such additional legislation as the commerce and navigation of the United States may render proper in order to provide a just and uniform admeasurement applicable to steamers and sailing vessels.	House Journal.	322	During the session.
1865, Feb. 23	Report of any facts and information upon the subject referred to in the communication of Edwin G. Easton to the Hon. Wm. H. Seward that shall be required, in order to determine what legislation (if any) is expedient and proper, and to indicate such legislative action as shall be deemed necessary.	House Journal.	323	During the session.
	BY THE FIRST COMPTROLLER OF THE TREASURY.			
	Annual.			
1799, March 2	Statement showing the official emoluments and expenditures of the officers employed in the collecting of the customs for the year 1865. NOTE.—This report is usually made to Congress by the *Secretary* of the Treasury. The law requires it to be made by the *Comptroller*.	Statutes at Large, volume 1.	708	Early in February.

1809, March	3	Statement of the accounts in the several departments which have remained more than three years unsettled, or on which balances have been due more than three years.	Statutes at Large, volume 2.	536	Early in December.
1817, March 1843, Jan.	3 28	A list of such officers as have not settled their accounts within the year, for moneys advanced one year prior to September 30, 1865, with the proceedings in each case.	Statutes at Large, volume 3.	364	Early in December.
1843, Jan.	28	A similar list required by resolution of the House of Representatives to be made annually.	House Journal.	274	Early in December.
		BY THE TREASURER OF THE UNITED STATES.			
		Annual.			
1789, Sept.	2	Statement of his accounts, with an account of the state of the treasury.	Statutes at Large, volume 1.	66	Early in December.
1836, July	2	Statements of receipts and disbursements of the post office establishment.	Statutes at Large, volume 5.	81	During the session.
		BY THE SECRETARY OF WAR.			
		Annual.			
1794, April	2	An account of the expenses of the national armories, together with an account of the arms made and repaired therein during the year 1865.	Statutes at Large, volume 1.	352	Early in February.
1803, March	2	A return of the militia of the United States, with their arms, accoutrements, &c.	Statutes at Large, volume 2.	207	Early in February.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1808, April 21	A statement of contracts made by the various branches of the War Department on behalf of the United States during the year 1865.	Statutes at Large, volume 2.	485	Early in January.
1809, March 3	A statement of the expenditures of the moneys appropriated for the contingent expenses of the military establishment for the year 1865, (not contingencies of the War Department.)	Statutes at Large, volume 2.	535	Early in January.
1820, May 1	A statement showing the appropriations for the military service for the year 1865, with the expenditure under each specific head, and the balance of the several appropriations unexpended at the end of the year, with an estimate of the probable demands which may remain on each of such balances.	Statutes at Large, volume 3.	567	Early in February.
1830, Feb. 1 1842, Aug. 3 1843, Feb. 16	The Army Register (printed) for 1865, to which shall be annexed an accurate schedule of the pay and emoluments, with the commutation value thereof, to which the officers of each grade are entitled, and opposite the name of each officer his annual pay, his allowance for rations, servants, and forage, and all other allowances.	House Journal. House Journal. House Journal.	227 1453 384	In February.
1842, Aug. 26	A full and detailed statement of the expenditure of the contingent funds of the several offices of the War Department for the year 1865, showing to whom payments were made, for what made, &c.	Statutes at Large, volume 5.	527	Commencement of the session.

1842, Aug.	26	Statement of all moneys expended by disbursing officers of the War Department during the year 1865.	Statutes at Large, volume 5.	527	In January.
1818, April 1841, Aug.	20 26	The names of clerks and all other persons employed in the War Department during the year 1865, or any part thereof, with the time each person was actually employed, and the sum paid each, and whether they have been usefully employed; whether the services of any can be dispensed with without detriment to the public service; and whether the removal of any, and the appointment of others in their stead, is required for the better despatch of business; and the residence of each at the time of his appointment.	Statutes at Large, volume 3. Statutes at Large, volume 5.	477 525	In January.
1865, Mar.	3	Report of the condition of the National Military and Naval Asylum for the relief of totally disabled officers and men of the volunteer forces of the United States.	Statutes at Large, 2d session, 38th Congress.	510	Early in January.
1865, Mar.	3	Detailed report of such temporary relief as may be absolutely necessary, including clothing and provisions furnished during the residue of the fiscal year ending 30th of June, 1865, to the so-called refugee Indians in the Indian Territory.	Statutes at Large, 2d session, 38th Congress.	563	During the session.
		Special.			
1861, July	8	A report of the plans and estimates to be prepared by the engineer department for completing the defensive works on the south side of the Potomac, near the city; and also to report upon the expediency of constructing similar works of defence on the northern side of this city, (with estimates for the same,) so as to reduce to a minimum the number of troops required for the protection and defence of the capital.	House Journal.	51	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1862, Jan. 13	A report relative to the authority, and by whom, the army supplies and other property held for the military purposes of the United States in the Territory of Utah, and especially at Camp Crittenden and Fort Bridger, were sold, with a statement of the property, its cost and value to the United States, and the amount realized from the sale thereof; and if the sale was made by his authority, that he furnish a copy of the order, and inform the House what notice was given of the sale; and if any of the military supplies in said Territory were destroyed, that he inform the House of the character of such supplies, the value thereof, and the reason of the destruction.	House Journal.	166	No time specified.
1862, Jan. 13	A report relative to the military force of fourteen hundred volunteers recently organized in the Territory of Colorado, by what authority organized, for what purpose, and what disposition has been made of said force, and at what time organized and equipped, and in what manner; and what amount of demands have been credited against the United States on account of said military force, so far as the War Department has been informed, and to what extent such demands have been liquidated by drafts on the treasury; what arms have been purchased by the governor of said Territory, at what cost, and by what authority; and whether	House Journal.	167	No time specified.

		it is the intention of the War Department to recognize and liquidate the debts created in said military operations, including the purchase of arms.			
1862, Jan.	15	A report of what arrangements can be made, and the terms of the same, with the railroad corporations on the line between Washington and New York, by the way of Baltimore and Philadelphia, for the construction of a side track between Bristol and Chester, in Pennsylvania, through west Philadelphia; and also for the construction of a side track from Back river to the Relay House, in Maryland, through west Baltimore; and also for the construction of another track between the Relay House and Washington, so as to form and open a speedy and direct communication between the said cities of New York and Washington.	House Journal.	181	No time specified.
1862, Feb.	10	A report of the correspondence that may be on the files of the War Department tending to show preparation by any State for the armed and treasonable rebellion against the Union.	House Journal.	290	No time specified.
1862, March	14	A report of the number of officers and men in the army of the Potomac who have died since the 4th of March, 1861; what number have died in battle and from wounds, and what number from disease; also, how many officers and men have been discharged from the army since the 4th of March, 1861, giving a classified statement of the grounds of discharge.	House Journal.	447	No time specified.
1862, March	24	A report of the correspondence with the Baltimore and Ohio railroad, that between the War Department and the other railroads between Baltimore and New York, concerning increasing railroad facilities between the city of New York and Washington.	House Journal.	475	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1862, April 28	A report relative to the prisoners taken on the sloop Velma, and whether released by the United States commissioner at Baltimore with the knowledge and consent of the military authorities of the department of Maryland; also, by what authority Colonel Gunter, of Virginia, who refused to take the oath of allegiance, was released on a conditional parole, which bound him only not to take up arms against the government while the Eastern Shore counties of Virginia remained under United States authority; also, by what authority the said Gunter was allowed to visit the camp of the 6th Maryland regiment at Lafayette square, Baltimore, to search for runaway negroes.	House Journal.	617	No time specified.
1861, Dec. 5	A report of any general orders in the military department of Missouri relating to fugitive slaves.	Senate Journal.	27	No time specified.
1861, Dec. 17	A report of the authority conferred upon the provisional governor or other authorities of Missouri to enrol, organize, arm, equip, support, and pay the volunteer militia of that State; when and by whom was such authority conferred; how many militia were thus authorized to be raised; how to be organized and officered; when, where, and how to be employed, and in what manner to be paid.	Senate Journal.	57	No time specified.
1862, Jan. 2	A report of the number of cavalry regiments authorized, the number mustered into the service, where stationed, the	Senate Journal.	77	No time specified.

		condition of their equipment, and whether the public service would be promoted by converting the cavalry regiments authorized but not mustered into the service into infantry regiments.			
1862, Feb.	25	A report of whether any contract has been made, or any steps have been taken looking to a contract, for the construction of any railroad by or under the authority of the War Department; and if so, what is the nature and character of said contract, with whom made, and under what authority or law was it made.	Senate Journal.	237	No time specified.
1862, April	1	A report of the correspondence of General Wool with the War Department, relative to the movement of the army, or a part thereof, since he has been in command of Fort Monroe.	Senate Journal.	354	No time specified.
1862, April	28	A report of the present condition of Harper's Ferry armory, Jefferson county, Virginia; what damage has been done thereto during the existing rebellion, by whom so done, and by what authority; the value of the United States property there in its present condition; the amount of money necessary to repair said damage; and whether it is expedient to repair and restore the said armory, to be employed as heretofore.	Senate Journal.	430	No time specified.
1862, April	28	A report of Henry E. Maynadier, captain of the 10th infantry, of his operations in conducting an escort for emigrants to the Pacific coast in the year 1861, from Omaha City to Fort Walla-Walla.	Senate Journal.	430	No time specified.
1862, May	19	A report of the names of the several persons appointed additional aides-de-camp under the act of Congress approved	Senate Journal.	504	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	August 5, 1861; the date of their appointments; where now employed; to the staff of what general officer attached, and upon the recommendation of what general officer appointed.			
1862, June 23	A report of any information the Secretary of War may have in regard to the exchange of prisoners, or of negotiations therefor.	Senate Journal.	694	No time specified.
1862, July 5	The reports of General Canby of the military operations in New Mexico, and particularly his report of the first of March last of the battle of Valverde.	Senate Journal.	757	No time specified.
1862, July 15	A report of the reasons for the arrest of Lieutenant Colonel D. R. Anthony, of the 7th Kansas regiment.	Senate Journal.	841	No time specified.
1862, Dec. 5	A report of all correspondence, telegrams, letters, and reports concerning the military operations of the army of the Potomac since its withdrawal from Harrison's Landing, and all correspondence, letters, telegrams, and reports relating to the surrender of Harper's Ferry, and the testimony taken before the court of inquiry upon such surrender.	Senate Journal.	28	No time specified.
1863, Jan. 5	A report of the number of officers, non-commissioned officers, and privates who have deserted from the army of the United States since the 1st day of July, 1861, and what	Senate Journal.	78	No time specified.

		steps have been taken to punish those guilty of the crime of desertion.			
1863, Dec.	23	A report whether persons held to service or labor by the laws of Delaware, Maryland, West Virginia, Kentucky, and Missouri, have been enrolled according to the provisions of the "Act for enrolling and calling out the national forces, and for other purposes," approved March 3, 1863; and if not, the cause why such enrolment has not been made.	Senate Journal.	47	No time specified.
1864, Jan.	5	A report relative to the case of Solomon Kohnstamm, of New York, charged with obtaining money upon false and fraudulent claims for collecting, drilling, organizing, and subsisting volunteers.	Senate Journal.	50	No time specified.
1864, Feb.	24	A report of the reasons that have heretofore prevented the arming the militia of the State of Kansas.	Senate Journal.	183	No time specified.
1864, April	8	A report of any information in his possession touching the recent arrest of Captain C. B. Ferguson, quartermaster United States army, and Captain William Stoddard, assistant quartermaster of volunteers, lately in charge of the military depot at Alexandria, Virginia.	Senate Journal.	309	No time specified.
1864, June	13	A report whether the granting of the right of way for the Chicago and Rock Island railroad across the island of Rock Island, in the Mississippi river, provided the track of said road should be laid in such manner and upon such line as the Secretary of War should direct, would injuriously affect the use of said island for the purposes contemplated in an act passed at the present session of Congress, entitled "An act in addition to an act for the establishment of certain arsenals."	Senate Journal.	551	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1864, Feb. 29	A report of the proceedings of the court of inquiry convened under Special Order No. 346 of the War Department on the 7th of August, 1863, to inquire into the facts and circumstances relative to the evacuation of Winchester by the command of Major General Milroy, together with all the testimony taken before said court, its rulings on points of evidence, the notes of testimony offered and rejected, the summary of the case by the judge advocate general, and the decision of the President thereon.	House Journal.	314	No time specified.
1864, March 8	A report of the causes for the delay in the payment of the expenses of the draft of the militia in the States of Pennsylvania and New York in October, 1862, and to state whether any legislation is required to facilitate and secure the prompt settlement of said expenses.	House Journal.	359	No time specified.
1864, March 28	A report in reference to the claims of States for the payment for services rendered by State troops to the general government at any time during the present war, stating the character of such service and the amount of the claims.	House Journal.	438	No time specified.
1864, April 4	A report of the number of men called into the military service of the United States since March, 1861; the quota to each State under each call; the number furnished, and also the number tendered under each call; the length of time for which they were accepted; what State or States	House Journal.	460	No time specified.

		furnished an excess over its quota; and how many and what State or States did not furnish its quota, and the number deficient.			
1864, April	7	A report of the number, names, and rank of commissioned officers that have been dismissed from the military service of the United States, by authority of the President, without a trial by court-martial, since the beginning of the present war, and how many such dismissals have been revoked.	House Journal.	496	No time specified.
1864, May	16	A report of the record, and review thereof, of the trial before a military commission of Robert Taylor, a citizen of Tennessee, on a charge of murder.	House Journal.	662	No time specified.
1865, Jan.	25	A report of all officers assigned under the 10th, 11th, and 12th sections of "An act to provide for the better organization of the quartermaster's department," approved July 4, 1864; stating the duty to which each of said officers has been assigned, the rank such assignment entitles him to, and whether selected from the volunteer service or from the regular army, and from what former duty taken.	House Journal.	147	No time specified.
1865, March	3	A supplemental report of Major General George B. McClellan, as to the organization and operations of the army of the Potomac, and having special reference to the organization and operations of the artillery service.	House Journal.	408	No time specified.
		BY THE SURGEON GENERAL.			
1863, Feb.	23	A report of the materials prepared by him relating to the medical and surgical history of the present rebellion,	Senate Journal.	310	No time specified

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	with such other medical statistics as may be in preparation in his office.			
	BY THE SECRETARY OF THE NAVY.			
	Annual.			
1808, April 21	A statement of the contracts made by the Navy Department on behalf of the United States in 1865.	Statutes at Large, volume 2.	485	Early in January.
1809, March 3	A statement of the expenditure of the money appropriated for the contingent expenses of the naval establishment during the year 1865, (not the contingencies of the department.)	Statutes at Large, volume 2.	536	Early in January.
1815, Dec. 11 1843, Feb. 16	A printed Navy Register for 1865, showing the annual pay of each officer, with all emoluments and allowances.	Senate Journal. House Journal.	384 384	Early in January.
1820, May 1	A statement showing the appropriations for the naval service for the year 1865, with the expenditure under each specific head, and the balance of the several appropriations unexpended at the close of the year, with an estimate of the probable demands which may remain on each of such balances.	Statutes at Large, volume 3.	567	First of February.

1832, July	10	A report of the receipts and expenditures of the navy hospital fund in 1865.	Statutes at Large, volume 4.	572	During the session.
1818, April 1842, Aug.	20 26	The names of the clerks and other persons employed in the Navy Department during the year 1865, or any part thereof, with the time each person was actually employed, and the sum paid each, and whether they have been usefully employed; whether the services of any can be dispensed with without detriment to the public service; and whether the removal of any, and the appointment of others in their stead, is required for the better despatch of business; and the residence of each at the time of his appointment.	Statutes at Large, volume 3. Statutes at Large, volume 5.	447 525	In January.
1842, Aug.	26	A full and detailed statement of the expenditure of the contingent fund of the several offices of the Navy Department in 1865, showing to whom payments were made, for what made, &c.	Statutes at Large, volume 5.	527	Commencement of the session.
1848, Aug.	3	A report of the transfers of appropriations from one head to any other head of the appropriations for the naval service for the year 1865.	Statutes at Large, volume 9.	271	During the session.
1852, Aug.	31	A report of the number and names of appointments to the Naval School which have been made; the district and State whence each one comes; the number of existing vacancies, with the congressional district which may be entitled to supply them; and a statement of the order in which the remainder of the congressional districts shall be entitled to all future and accruing vacancies, &c.	Statutes at Large.	102	Every second session.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	Special.			
1858, June 14	A report of the pay and amount of allowances made, by existing laws, to each grade of the commissioned officers of the navy of the United States, and a similar statement as to the corresponding grades in the naval service of Great Britain, France, and Russia, in tabular form; his opinion as to the policy of increasing the grade or rank of our naval service; the number in each of such increased grade or grades, and the amount of pay, &c., to be allowed to each of such grades; the number of officers of each grade necessary to command our navy as now existing by law, allowing no cruise to be of longer duration than two years, and no leave on shore for more than six months; and the pay, &c., which should be allowed to such sea-going officers, not discriminating between being at sea or on shore under the limitations stated; the number of officers of each grade necessary to command and manage the various establishments on shore of every description connected with our naval service, including the bureaus, &c., specifying each establishment and the number of officers with their grades in each, and the aggregate of all such officers to be of those no longer fit, from any cause, for sea-going service, yet worthy and capable for duty on shore, and to prevent shore duties from being sought by sea-going officers; to report the per centum of decrease from sea-going pay which	House Journal.	1145	Next session of Congress.

		should be allowed to those on duty on shore; the pay of pension which should be allowed to such officers as are not fit for duty afloat or ashore, without any demerit or fault of their own, and who in all such cases are retired from service and taken from the line of promotion.			
1862, Jan.	16	A report relative to the ships Alabama, at the Portsmouth navy yard, and the Virginia, at the Charlestown navy yard, being, with profit to the public service, taken to pieces and the material, or such part thereof as may prove valuable for that purpose, used in the construction of new vessels or the repair of old ones.	Senate Journal.	116	No time specified.
1862, March	27	A report of all correspondence between Edwin A. Stevens, executor of Robert L. Stevens, and the Secretary of the Navy, in reference to the steam floating battery contracted to be built by said Robert L. Stevens, with an abstract showing the sums expended, respectively, on the hull and on the machinery of said vessel.	Senate Journal.	344	No time specified.
1862, Dec.	11	A report of the board of officers appointed by him since the last session, to examine and survey certain proposed sites for the building of a navy yard.	House Journal.	65	No time specified.
1865, March	9	Requested to organize a board of not less than three competent persons whose duty it shall be to inquire into and determine how much the vessels of war and steam machinery contracted for by the department in the years 1862 and 1863 cost the contractors over and above the contract price and allowance for extra work, and report to the Senate at the next session.	Senate Journal.	352	During the session.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	BY THE POSTMASTER GENERAL.			
	Annual.			
1825, March 5	A statement of the amount of postage accruing in the last year at each of the post offices in the several States and Territories of the United States, classifying the said accounts of postage so accruing by States and Territories.	House Journal.	291 300	During the session.
1825, March 3	A list of such post routes as have not, after the second year, produced the third part of the expenses of transporting the mail on the same.	Statutes at Large, volume 4.	113	In February.
1836, July 2	A report of contracts for the transportation of the mail within the last year, with all the particulars in relation thereto.	Statutes at Large, volume 5.	84	During the session.
1836, July 2	A report of all extra allowances to contractors made during the last year, with all extra expenses incurred, and all curtailment of expenses.	Statutes at Large, volume 5.	84	During the session.
1836, July 2	A report of the incidental expenses of the Post Office Department for the last year.	Statutes at Large, volume 5.	85	During the session.
1836, July 2	A report of the finances of the Post Office Department for the last year.	Statutes at Large, volume 5.	85	During the session.

1836, July	2	A report of the fines and penalties imposed on contractors for failures or other causes.	Statutes at Large, volume 5.	85	During the session.
1836, July	2	A transcript of the record of all offers made for carrying the mails.	Statutes at Large, volume 5.	86	During the session.
1836, July	2	Estimates for the service of the Post Office Department for the year ending June 30, 1867.	Statutes at Large, volume 5.	80	During the session.
1836, July	2	Proceedings in regard to unlawful combinations respecting the making of mail contracts, if any such combinations have been made.	Statutes at Large, volume 5.	87	During the session.
1842, Aug.	26	A full and detailed statement of the expenditure of the contingent funds of the several offices of the Post Office Department, showing to whom payments were made, for what made, &c.	Statutes at Large, volume 5.	527	Commencement of the session.
1842, Aug.	26	Statement of all moneys expended by disbursing agents of the Post Office establishment during the year 1865.	Statutes at Large, volume 5.	527	In January.
1818, April 1842, Aug.	20 26	The names of the clerks and all other persons employed in the department of the Postmaster General during the year 1865, or any part thereof, with the time each person was actually employed, and the sum paid to each, and whether they have been usefully employed; whether the services of any can be dispensed with without detriment to the public service; and whether the removal of any, and the appointment of others in their stead, is required for the better despatch of business; and the residence of each at the time of his appointment.	Statutes at Large, volume 3. Statutes at Large, volume 5.	447 525	In January. During the session.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made
1845, March 3	Copies of contracts for carrying the mails between any of the ports of the United States and a port or ports of foreign powers, with a statement of the amount of postage derived under the same.	Statutes at Large, volume 5.	749	During the session.
	Special.			
1856, March 24	A report relative to the building for a custom-house, court-rooms, and post office at Milwaukie, Wisconsin.	Senate Journal.	199	During the session.
1860, Feb. 16	Report of the action, if any, taken under the third and fourth sections of the act of the 3d of March, 1859, entitled "An act making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1860," relating to the construction of public buildings in the city of Philadelphia, and what additional legislation, if any, is necessary to carry out the purposes of said sections.	Senate Journal.	167	No time specified.
1860, June 22	Report of the reasons for transferring the transportation of the mails from the Jeffersonville and Indianapolis railroad to the New Albany and Salem railroad, together with all the facts connected with said change that he may deem important; and how said change has affected the public interest.	House Journal.	1191	No time specified.

		BY THE ATTORNEY GENERAL.			
		Special.			
1854, Aug.	4	Reports as to the manner of the execution of the Cherokee treaty of New Echota, &c.	Senate Journal.	681	Next session.
1860, Feb.	16	Report of the action, if any, taken under the third and fourth sections of the act of the 3d of March, 1859, entitled "An act making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1860," relating to the construction of public buildings in the city of Philadelphia, and what additional legislation, if any, is necessary to carry out the purposes of said sections.	Senate Journal.	167	No time specified.
1864, June	30	A report of an investigation of the proceedings had at New Orleans, Louisiana, to condemn the confederate steamer William Bagaley, and examination into the costs and fees charged therein, with the items of the various bills; whether they are legal; and if not, wherein they are illegal; and whether any further legislation is required to guard against exorbitant charges in prize cases.	House Journal.	962	No time specified.
		BY THE SECRETARY OF THE INTERIOR.			
		Annual.			
1808, April	21	Statement of the contracts made by direction of the Department of the Interior.	Statutes at Large, volume 2.	484	Early in January.
1842, Aug.	26	A full and detailed statement of the expenditure of the contingent fund of the several offices of the Department of the Interior, showing to whom payments were made, for what made, &c.	Statutes at Large, volume 5.	527	Early in January; and are usually included in one report.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made
1845, March 3	Copies of contracts for carrying the mails between any of the ports of the United States and a port or ports of foreign powers, with a statement of the amount of postage derived under the same.	Statutes at Large, volume 5.	749	During the session.
	Special.			
1856, March 24	A report relative to the building for a custom-house, court-rooms, and post office at Milwaukie, Wisconsin.	Senate Journal.	199	During the session.
1860, Feb. 16	Report of the action, if any, taken under the third and fourth sections of the act of the 3d of March, 1859, entitled "An act making appropriations for sundry civil expenses of the government for the year ending the 30th of June, 1860," relating to the construction of public buildings in the city of Philadelphia, and what additional legislation, if any, is necessary to carry out the purposes of said sections.	Senate Journal.	167	No time specified.
1860, June 22	Report of the reasons for transferring the transportation of the mails from the Jeffersonville and Indianapolis railroad to the New Albany and Salem railroad, together with all the facts connected with said change that he may deem important; and how said change has affected the public interest.	House Journal.	1191	No time specified.

1789, Sept.	2	A report upon the condition of the General Land Office, the amount of the sales of the public lands, and an account of the surveys made of the same during the year 1865.	Statutes at Large, volume 1.	66	In January.
1865, Feb.	9	Report of the names of certain friendly Indians of the Sioux nation, in Minnesota, for whose benefit money was expended, and the amount expended for each.	Statutes at Large, 2d session 38th Congress.	427	During the session.
1865, March	3	Report of money expended to carry into effect any treaty stipulation with any tribe or tribes of Indians, all or any portion of whom shall be in a state of actual hostility to the government of the United States, including the Creeks, Choctaws, Chickasaws, Seminoles, Wichitas and other affiliated tribes, as well as the Cherokees, as may be found necessary to support such individual members of said tribes as have been driven from their homes or reduced to want on account of their friendship to the United States, and enable them to subsist until they can support themselves in their own country.	Statutes at Large, 2d session 38th Congress.	562	Commencement of session.
		Special.			
1854, August	2	Report upon the nature of the title of the Christian Indians to lands in the State of Ohio.	Senate Journal.	630	Next session of Congress.
1857, Jan.	26	A report of the number of the military and other reservations for the settlements of Indian tribes that have been made, the size of each, and the number of Indians upon each; also, the number of white persons upon each, and their compensation, the annual cost to the United States of each reservation, and whether, by the existing regulations, these reservations are worked in common by the Indians for their common benefit, or what means, if any,	Senate Journal.	128	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
1818, April 20 1842, Aug. 26	The names of all clerks and other persons who have been employed in the several offices of the Department of the Interior during the year 1865, or any part thereof, with the time each person was actually employed, and the sum paid each; also, whether they have been usefully employed; whether the services of any of them can be dispensed with without detriment to the public service; and whether the removal of any, and the appointment of others in their stead, is required for the better despatch of business; and the residence of each at the time of his appointment.	Statutes at Large, volume 3. Statutes at Large, volume 5.	447 525	Early in January; and are generally included in one report.
1830, May 29	A list of applicants for pensions, or for increase of pensions, whose cases are not embraced by the laws, but which ought to be granted.	Statutes at Large, volume 4.	430	In January.
1832, July 10	A report of the receipts and expenditures of the navy pension fund and privateer pension fund in 1865; the names of pensioners, and the amount of their pensions, respectively.	Statutes at Large, volume 4.	572	During the session.
1789, Aug. 7	A report upon the condition of the Office of Indian Affairs, and of the various tribes of Indians within the limits of the United States.	Statutes at Large, volume 1.	50	Commencement of the session; usually accompanies the annual message of the President.

		arsenals, mints, offices, hospitals, and other public buildings, from the commencement of the government to the 1st of January, 1861.			
1861, July	15	A report of the amount of business transacted in the several circuit courts of the United States; the number of cases docketed in each circuit and disposed of each year from the first of January, 1850, to the 1st of January, 1860; the number of days each supreme judge was occupied in the several circuits during each year; the aggregate amounts involved in litigation in each circuit, and the number of cases undisposed of on the second circuit dockets on the 1st of January, 1860.	House Journal.	88	Next session.
1862, Feb.	27	A report transmitting the reports made to the Interior Department between May 1, 1861, and August of the same year, by Augustus Wattles, esq., special Indian agent to visit the Sac and Fox, Kaw, Chippewa, Ottawa, Delaware, and Osage tribes of Indians; also the correspondence on file in the Indian bureau between the Interior Department and Mr. George N. Day, in relation to the northern Indian superintendency.	House Journal.	371	No time specified.
1862, March	11	A report of the names and residence of all persons who have applied for pensions on account of wounds received or disabilities incurred by them during the present rebellion, and of those who have been at any time admitted to the invalid pension roll, (except such as were pensioned from the date of their disability;) the time when their pensions commenced; the amount per annum received by each, distinguishing each according to grade,	House Journal.	424	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	are used to secure to each Indian the separate enjoyment of the proceeds of his own labor; also, what system has been adopted to induce the Indians to labor upon these reservations, the practical results of that system so far, and whether the proceeds of those reservations have been directed exclusively to the purpose for which they were made.			
1860, May 2	Report of the amount due the Chippewas of the Mississippi and Lake Superior, under the ninth article of the treaty made with those Indians September 30, 1854.	Senate Journal.	425	No time specified.
1860, June 16	Report of an estimate for completing the north front of the Patent Office building with a portico, according to the plan of the architect.	Senate Journal.	681	Next session.
1860, May 18	Report of the amounts paid to the Pokegan or other bands of Indians who were parties to the treaties of the 26th and 27th of September, 1833, at Chicago, and who remained in the State of Michigan, either in money or goods, under the stipulations of the treaty made at the time and place aforesaid with the united nation of Chippewa, Ottawa, and Pottawatomie Indians; also the time and place of payment, and the parties to whom paid.	House Journal.	864	No time specified.
1861, Jan. 14	A report of copies of all deeds made by the several southern	House Journal.	186	No time specified.

		States to the United States for lands to be used for forts, arsenals, dock-yards, navy yards, custom-houses, post offices, hospitals, and other public buildings, from the commencement of the government to the 1st of January, 1861.			
1861, July	15	A report of the amount of business transacted in the several circuit courts of the United States; the number of cases docketed in each circuit and disposed of each year from the first of January, 1850, to the 1st of January, 1860; the number of days each supreme judge was occupied in the several circuits during each year; the aggregate amounts involved in litigation in each circuit, and the number of cases undisposed of on the second circuit dockets on the 1st of January, 1860.	House Journal.	88	Next session.
1862, Feb.	27	A report transmitting the reports made to the Interior Department between May 1, 1861, and August of the same year, by Augustus Wattles, esq., special Indian agent to visit the Sac and Fox, Kaw, Chippewa, Ottawa, Delaware, and Osage tribes of Indians; also the correspondence on file in the Indian bureau between the Interior Department and Mr. George N. Day, in relation to the northern Indian superintendency.	House Journal.	371	No time specified.
1862, March	11	A report of the names and residence of all persons who have applied for pensions on account of wounds received or disabilities incurred by them during the present rebellion, and of those who have been at any time admitted to the invalid pension roll, (except such as were pensioned from the date of their disability;) the time when their pensions commenced; the amount per annum received by each, distinguishing each according to grade,	House Journal.	424	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.		Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
		with reference to the several acts of Congress under which said pensions were allowed, to be arranged in alphabetical order, both as to States and names of pensioners, and an estimate of the amount claimed by or due to each, from the date of his disability to the time when his pension commenced, or, if no pension has been allowed, to the date of his or her application.			
1862, June	26	A report of the number of persons on the pension roll of the United States, at the various rates of pension; the service rendered by such pensioners, whether in the regular army, militia, volunteer service, or navy; and the number of applications for pensions pending and undecided at the time of making such report.	House Journal.	942	Next session of Congress.
1862, June	3	A report of the claim of the register of the land office at Vincennes, Indiana, for office rent; and also the claim of the postmaster of the same place for the custody of the books and papers; and to report to the Senate the amount, in his judgment, due.	Senate Journal.	558	At as early a day as practicable.
1862, June	14	A report of all the information and proof that it may be practicable to obtain relating to the amount of beef actually delivered and furnished to the Indians in the lower part of the State of California by George McDougal, in the year 1852, under a certain contract entered into between	Senate Journal.	646	No time specified.

		him and O. M. Wozencraft, who assumed to act as agent in behalf of the United States, and also relating to the value thereof at the time of its delivery; and to report the same to Congress with all convenient despatch, with his opinion upon the justice and amount of said claim.			
1864, May	26	A report of what tribes of Indians are in arms against the government of the United States; the location and extent of the reserves of such Indian tribes; the tenure by which they hold them; the amounts received by such tribes from the rebel authorities, and the dates when received in the shape of annuities, and the amounts paid and expended by the government of the United States for such Indian tribes since they were paid by the rebel authorities; and also the number of loyal and disloyal of such tribes.	Senate Journal.	480	No time specified.
1864, Jan.	13	A report of the late treaty made on behalf of the United States by Major Keith, agent for the Kickapoo Indians, with said Indians, for the cession of their reservation, or any part thereof, in the northeastern part of Kansas; and also copies of all evidence filed in said department tending to show fraud or any unfairness in the procurement of or in the execution of said treaty; and also copies of all other documents and papers relating thereto now on file in said department.	House Journal.	136	No time specified.
1865, Jan.	16	Report whether the provisions of the act of June 2, 1862, entitled "An act to prevent and punish fraud on the part of officers intrusted with making of contracts for the government," have been complied with by officers under him, and particularly whether the said act has been complied with and executed as to contracts for marble and marble-work and iron and iron-work upon the Capitol extension;	Senate Journal.	73	No time specified.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	and if there has been failure or neglect in the execution of the said act, the reasons therefor, and why the penalties of said act have not been enforced against officers in default.			
	BY THE COMMISSIONER OF PATENTS.			
1837, March 3	A list of all patents granted for the preceding year for inventions and improvements; also a list of patents which have expired during the same periods.	Statutes at Large, volume 5.	195	In January.
	BY THE COMMISSIONER OF AGRICULTURE.			
1862, May 15	Report of the practical and experimental information relating to agriculture, collected seeds and plants obtained and distributed among agriculturists.	Statutes at Large, volume 12.	388	During the session.
	BY THE COMMISSIONER OF PUBLIC BUILDINGS.			
	Annual.			
1829, March 3	The application of the appropriations for 1864, the number of public lots sold, &c., and the state of the buildings and grounds.	Statutes at Large, volume 4.	363	In December.
1838, April 16	Copies of all contracts made in his office for materials furnished or to be furnished, or for labor performed or to be performed, &c.	House Journal.	84	Commencement of the session.

1840, July	21	The manner in which all appropriations for the public buildings and grounds have been applied.	Statutes at Large, volume 6.	815	Commencement of the session.
		BY THE SECOND AUDITOR.			
		Annual.			
1822, May 1834, June	6 30	Copies of the accounts of Indian agents, superintendents, and others charged with the disbursement of money, goods, or effects of any kind, for the benefit of the Indians.	Statutes at Large, volume 3. Statutes at Large, volume 4.	683 738	In February.
		BY THE COMMISSIONER TO CHINA.			
		Annual.			
1848, Aug.	11	A report of the fees for judicial services, and the expenses incident to those services, for the year 1865.	Statutes at Large.	279	During the session.
		BY THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF REPRESENTATIVES, (EACH TO HIS HOUSE RESPECTIVELY.)			
		Annual.			
1836, May 1842, Aug.	9 26	A full and detailed statement of the expenditure of the contingent fund of their houses, respectively, showing to whom payments were made, for what made, &c.	Statutes at Large, volume 5. Statutes at Large, volume 5.	25 525	Commencement of the session.
1842, Aug.	26	The names of the clerks and all other persons employed in the service of their respective houses during the year 1865, or any part thereof, with the time each person was actually employed, and the sum paid each, and whether they have been usefully employed; whether the services of any can be dispensed with without detriment to the public service; and whether the removal of any, and the appointment of others in their stead, is required for the better despatch of business.	Statutes at Large, volume 5.	525	In January.

LIST OF REPORTS—Continued.

Date of the law or resolution.	Officer, and nature of the report.	By what authority.	Page.	When expected to be made.
	BY THE CLERK OF THE HOUSE OF REPRESENTATIVES.			
	Annual.			
1842, March 7	A report showing distinctly the quantity and cost of all the stationery used by the House and the Clerk's office.	House Journal.	495	Commencement of the session.
	BY THE CORPORATION OF WASHINGTON.			
	Annual.			
1832, May 31	A statement of the cost of the Washington canal, with the annual expenditures and receipts from the canal.	Statutes at Large, volume 4.	523	In January.
	BY THE GOVERNORS OF THE SEVERAL STATES.			
1862, July 2	Report of the sales made of the scrip sold for the benefit of colleges for the promotion of agriculture and the mechanic arts and the amount received.	Statutes at Large, volume 12.	505	During the session.
	BY THE MARSHAL OF THE DISTRICT OF COLUMBIA.			
1861, Dec. 9	A report of the authority by which he receives slaves into the jail of the District at the request of their masters, and holds them in confinement until discharged by their masters.	Senate Journal.	29	No time specified.

CONTINGENT REPORTS.

If a transfer of the appropriations made for any of the departments or branches of the government shall have been made, by order of the President of the United States, during the recess of Congress, it is made the duty of the head of the department in which such transfer shall have been made to report to Congress, during the first week of the session, a special account of the moneys thus transferred, with their application.

See act 3d March, 1809, Statutes at Large, vol. 2, p. 535.
See act 3d March, 1817, Statutes at Large, vol. 3, p. 390.
See act 1st May, 1820, Statutes at Large, vol. 3, p. 568.
See act 30th June, 1834, Statutes at Large, vol. 4, p. 742.

If any State refuse to cede to the United States jurisdiction over the lands purchased by the United States for public purposes, the head of the executive department making the application is directed immediately to report the same to Congress.

Statutes at Large, vol. 5, p. 468.

The several heads of departments, in communicating estimates of appropriations and expenditures to Congress, or to committees of Congress, are required to specify the sources from which the estimates are derived, with the calculations upon which founded, and to discriminate between such as are conjectural and such as are framed upon specific information; also, to specify the laws, treaties, or other authority for the expenditure.

If the head of a department consolidate appropriations "for the contingencies of his department and its several bureaus," he shall, in his annual report to be made to Congress, state the portion of it expended for the department proper, and for each bureau.

Statutes at Large, vol. 5, p. 686.

If, in submitting to Congress the annual estimates from the several executive departments of the government, it shall be found that the usual items of such estimates vary materially in amount from the appropriations ordinarily asked for the object named, and especially from the appropriation granted for the same objects for the year next preceding, and whenever new items not

LIST OF REPORTS—Continued.

theretofore usual shall be introduced into such estimates for any year, the estimates shall be accompanied by minute and full explanations, from the head of the appropriate department, of all such variations and new items, setting forth the reasons and grounds upon which the amounts are required, and the different items added; and whenever any such estimate, whether annual or special, shall ask an appropriation for any new specific expenditure, such as the construction of a fort, the erection of a custom-house or other public building, or the construction of any other public work requiring a plan before the building or work can be properly completed, every such estimate shall be accompanied by a full plan and detailed estimates of the cost of the whole work; and all subsequent estimates for every such work shall give the original estimated cost, the aggregate amount theretofore appropriated for the same, and the amount actually expended thereupon, as well as the amount asked for the current year for which such estimates shall be made; and whenever any such subsequent estimate shall ask for an appropriation for any such work beyond the original estimate of the cost, the full reasons for the excess, and the extent of the anticipated excess, shall be also stated.

See Statutes at Large, vol. 5, p. 693.

LIST OF THE MEMBERS

OF THE

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,

AND THEIR PLACES OF RESIDENCE,

DURING THE

THIRTY-NINTH CONGRESS, FIRST SESSION,

COMMENCING MONDAY DECEMBER 4, 1865.

MAINE.

1. John Lynch ..... Portland.
2. Sidney Perham ..... Paris.
3. James G. Blaine ..... Augusta.
4. John H. Rice ..... Foxcroft
5. Frederick A. Pike ..... Calais.

NEW HAMPSHIRE.

1. Gilman Marston ..... Exeter.
2. Edward H. Rollins ..... Concord.
3. James W. Patterson ..... Hanover.

VERMONT.

1. Frederick E. Woodbridge ..... Vergennes.
2. Justin S. Morrill ..... Strafford.
3. Portus Baxter ..... Derby Line.

MASSACHUSETTS.

1. Thomas D. Eliot ..... New Bedford.
2. Oakes Ames ..... North Easton.
3. Alexander H. Rice ..... Boston.
4. Samuel Hooper ..... Boston.
5. John B. Alley ..... Lynn.
6. Nathaniel P. Banks ..... Waltham.
7. George S. Boutwell ..... Groton.
8. John D. Baldwin ..... Worcester.
9. William B. Washburn ..... Greenfield.
10. Henry L. Dawes ..... Pittsfield.

RHODE ISLAND

1. Thomas A. Jenckes ..... Providence.
2. Nathan F. Dixon ..... Westerly

CONNECTICUT.

1. Henry C. Deming ..... Hartford.
2. Samuel L. Warner ..... Middletown.
3. Augustus Brandagee ..... New London.
4. John H. Hubbard ..... Litchfield.

NEW YORK.

1. Stephen Taber ..... Roslyn.
2. Teunis G. Bergen ..... New Utrecht.
3. James Humphrey ..... Brooklyn.
4. Morgan Jones ..... New York.
5. Nelson Taylor ..... New York.
6. Henry J. Raymond ..... New York.
7. John W. Chanler ..... New York.
8. William E. Dodge ..... New York.
9. William A. Darling ..... New York.
10. William Radford ..... Yonkers.
11. Charles H. Winfield ..... Goshen.
12. John H. Ketcham ..... Dover.
13. Edwin N. Hubbell ..... Coxsackie.
14. Charles Goodyear ..... Schoharie.
15. John A. Griswold ..... Troy.
16. Robert S. Hale ..... Elizabethtown.
17. Calvin T. Hulburd ..... Brasher Falls.
18. James M. Marvin ..... Saratoga Springs.
19. Demas Hubbard, jr ..... Smyrna.
20. Addison H. Laflin ..... Herkimer.
21. Roscoe Conkling ..... Utica.
22. Sidney T. Holmes ..... Morrisville.
23. Thomas T. Davis ..... Syracuse.
24. Theodore M. Pomeroy ..... Auburn.
25. Daniel Morris ..... Penn Yan.
26. Giles W. Hotchkiss ..... Binghamton.
27. Hamilton Ward ..... Belmont.
28. Roswell Hart ..... Rochester.
29. Burt Van Horn ..... Newfane.
30. James M. Humphrey ..... Buffalo.
31. Henry Van Aernam ..... Franklinville.

NEW JERSEY.

1. John F. Starr ..... Camden.
2. William A. Newell ..... Allentown.
3. Charles Sitgreaves ..... Phillipsburg.
4. Andrew J. Rogers ..... Newton.
5. Edwin R. V. Wright ..... Hudson City.

PENNSYLVANIA.

1. Samuel J. Randall ..... Philadelphia.
2. Charles O'Neill ..... Philadelphia.
3. Leonard Myers ..... Philadelphia.
4. William D. Kelley ..... Philadelphia.
5. M. Russell Thayer ..... Chestnut Hill, Philadelphia.

6. Benjamin M. Boyer ..... Norristown.
7. John M. Broomall ..... Media.
8. Sydenham E. Ancona ..... Reading.
9. Thaddeus Stevens ..... Lancaster.
10. Myer Strouse ..... Pottsville.
11. Philip Johnson ..... Easton.
12. Charles Denison ..... Wilkesbarre.
13. Ulysses Mercur ..... Towanda.
14. George F. Miller ..... Lewisburg.
15. Adam J. Glossbrenner ..... York.
16. Alexander H. Coffroth ..... Somerset.
17. Abraham A. Barker ..... Ebensburg.
18. Stephen F. Wilson ..... Wellsboro.
19. Glenni W. Scofield ..... Warren.
20. Charles V. Culver ..... Franklin.
21. John L. Dawson ..... Brownsville.
22. James K. Moorhead ..... Pittsburgh.
23. Thomas Williams ..... Pittsburgh.
24. George V. Lawrence ..... Monongahela City.

DELAWARE.

1. John A. Nicholson ..... Dover.

MARYLAND.

1. Hiram McCullough ..... Elkton.
2. John L. Thomas, jr ..... Baltimore.
3. Charles E. Phelps ..... Baltimore.
4. Francis Thomas ..... Frankville.
5. Benjamin G. Harris ..... Leonardtown

VIRGINIA.

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NORTH CAROLINA.

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SOUTH CAROLINA.

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GEORGIA.

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ALABAMA.

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MISSISSIPPI.

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LOUISIANA.

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OHIO.

1. Benjamin Eggleston.....Cincinnati.
2. Rutherford B. Hayes.....Cincinnati.
3. Robert C. Schenck.....Dayton.
4. William Lawrence.....Bellefontaine.
5. Francis C. LeBlond.....Celina.
6. Reader W. Clarke.....Batavia.
7. Samuel Shellabarger.....Springfield.
8. James R. Hubbell.....Delaware.
9. Ralph P. Buckland.....Frémont.
10. James M. Ashley.....Toledo.
11. Hezekiah S. Bundy.....Reed's Mills.
12. William E. Finck.....Somerset.
13. Columbus Delano.....Mount Vernon
14. Martin Welker.....Wooster.
15. Tobias A. Plants.....Pomeroy.
16. John A. Bingham.....Cadiz.
17. Ephraim R. Eckley.....Carrollton.
18. Rufus P. Spalding.....Cleveland.
19. James A. Garfield.....Hiram.

KENTUCKY.

1. Lawrence S. Trimble.....Paducah.
2. Burwell C. Ritter.....Hopkinsville.

3. Henry Grider.....Bowling Green.
4. Aaron Harding.....Greensburg.
5. Lovell H. Rousseau.....Louisville.
6. Green Clay Smith.....Covington.
7. George S. Shanklin.....Nicholasville.
8. William H. Randall.....London.
9. Samuel McKee.....Mount Sterling.

TENNESSEE.

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INDIANA.

1. William E. Niblack.....Vincennes.
2. Michael C. Kerr.....New Albany.
3. Ralph Hill.....Columbus.
4. John H. Farquhar.....Brookville.
5. George W. Julian.....Centreville.
6. Ebenezer Dumont.....Indianapolis.
7. Henry D. Washburn.....Clinton.
8. Godlove S. Orth.....Lafayette.
9. Schuyler Colfax.....South Bend.
10. Joseph H. Defrees.....Goshen.
11. Thomas N. Stillwell.....Anderson.

ILLINOIS.

1. John Wentworth.....Chicago.
2. John F. Farnsworth.....St. Charles.
3. Ellihu B. Washburne.....Galena.
4. Abner C. Harding.....Monmouth.
5. Ebon C. Ingersoll.....Peoria.
6. Burton C. Cook.....Ottawa.
7. Henry P. H. Bromwell.....Charleston.
8. Shelby M. Cullom.....Springfield.
9. Lewis W. Ross.....Lewistown.
10. Anthony Thornton.....Shelbyville.
11. Samuel S. Marshall.....McLeansboro'.
12. Jehu Baker.....Belleville.
13. Andrew J. Kuykendall.....Vienna.
At large. Samuel W. Moulton.....Shelbyville.

MISSOURI.

1. John Hogan.....St. Louis.
2. Henry T. Blow.....St. Louis.
3. Thomas E. Noell.....Perryville.
4. John R. Kelso.....Springfield.
5. Joseph W. McClurg.....Linn Creek.
6. Robert T. Van Horn.....Kansas City.

7. Benjamin F. Loan.....St. Joseph.
8. John F. Benjamin.....Shelbyville.
9. George W. Anderson.....Louisiana.

ARKANSAS.

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MICHIGAN.

1. Fernando C. Beaman.....Adrian.
2. Charles Upson.....Coldwater.
3. John W. Longyear.....Lansing.
4. Thomas W. Ferry.....Grand Haven.
5. Rowland E. Trowbridge.....Birmingham.
6. John F. Driggs.....East Saginaw.

FLORIDA.

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TEXAS.

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IOWA.

1. James F. Wilson.....Fairfield.
2. Hiram Price.....Davenport.
3. William B. Allison.....Dubuque.
4. Josiah B. Grinnell.....Grinnell.
5. John A. Kasson.....Des Moines.
6. Asahel W. Hubbard.....Sioux City.

WISCONSIN.

1. Halbert E. Paine.....Milwaukie.
2. Ithamar C. Sloan.....Janesville.
3. Amasa Cobb.....Mineral Point.
4. Charles A. Eldridge.....Fond du Lac.
5. Philetus Sawyer.....Oshkosh.
6. Walter D. McIndoe.....Warsaw.

CALIFORNIA.

1. Donald C. McRuer.....San Francisco.
2. William Higby.....Calaveras.
3. John Bidwell.....Chico.

MINNESOTA.

1. William Windom.....Winona.
2. Ignatius Donnelly.....Hastings.

OREGON.

1. James H. D. Henderson.....Eugene City.

KANSAS.

1. Sidney Clarke.....Lawrence.

WEST VIRGINIA.

1. Chester D. Hubbard.....Wheeling.
2. George R. Latham.....Grafton.
3. Kellian V. Whaley.....Point Pleasant.

NEVADA.

1. Delos R. Ashley.....Virginia City.

DELEGATES FROM THE TERRITORIES.

NEW MEXICO.

1. J. Francisco Chaves.....Santa Fé.

UTAH.

1. William H. Hooper.....Salt Lake City.

WASHINGTON.

1. Arthur A. Denny.....Seattle.

NEBRASKA.

1. Phineas W. Hitchcock.....Omaha.

COLORADO.

1. Allen A. Bradford.....Denver.

DAKOTA.

1. Walter A. Burleigh.....Yancton.

ARIZONA.

1. John N. Goodwin.....Prescott.

IDAHO.

1. E. D. Holbrook.....Idaho City.

MONTANA.

1. Samuel McLean.....Bannock City

STANDING COMMITTEES

OF THE

HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

THIRTY-NINTH CONGRESS, FIRST SESSION,

COMMENCING MONDAY, DECEMBER 4, 1865.

SELECT COMMITTEE OF ONE FROM EACH STATE REPRESENTED, ON THE DEATH OF PRESIDENT LINCOLN

Elihu B. Washburne.....Of Illinois.
James G. Blaine.....Of Maine.
James W. Patterson.....Of New Hampshire.
Justin S. Morrill.....Of Vermont.
Nathaniel P. Banks.....Of Massachusetts.
Thomas A. Jenckes.....Of Rhode Island.
Henry C. Deming.....Of Connecticut.
John A. Griswold.....Of New York.
Edwin R. V. Wright.....Of New Jersey.
Thaddeus Stevens.....Of Pennsylvania.
John A. Nicholson.....Of Delaware.
Francis Thomas.....Of Maryland.
Robert C. Schenck.....Of Ohio.
George S. Shanklin.....Of Kentucky.
Godlove S. Orth.....Of Indiana.
Joseph W. McClurg.....Of Missouri.
Fernando C. Beaman.....Of Michigan.
John A. Kasson.....Of Iowa.
Ithamar C. Sloan.....Of Wisconsin.
William Higby.....Of California.
William Windom.....Of Minnesota.
James H. D. Henderson.....Of Oregon.
Sidney Clarke.....Of Kansas.
Kellian V. Whaley.....Of West Virginia.

COMMITTEE OF ELECTIONS.

Henry L. Dawes.....Of Massachusetts.
Glenni W. Scofield.....Of Pennsylvania.
Portus Baxter.....Of Vermont.
Charles Upson.....Of Michigan.
Samuel S. Marshall.....Of Illinois.
Halbert E. Paine.....Of Wisconsin.
Samuel Shellabarger.....Of Ohio.
Joseph W McClurg.....Of Missouri.
William Radford.....Of New York.

COMMITTEE OF WAYS AND MEANS.

Justin S. Morrill.....Of Vermont.
Samuel Hooper.....Of Massachusetts.
James Brooks.....Of New York.
James A. Garfield.....Of Ohio.
John Wentworth.....Of Illinois.
Roscoe Conkling.....Of New York.
James K. Moorhead.....Of Pennsylvania.
William B. Allison.....Of Iowa.
John Hogan.....Of Missouri.

COMMITTEE ON APPROPRIATIONS.

Thaddeus Stevens.....Of Pennsylvania.
Henry J. Raymond.....Of New York.
Henry T. Blow.....Of Missouri.
John A. Kasson.....Of Iowa.
Daniel W. Voorhees.....Of Indiana.
John F. Farnsworth.....Of Illinois.
Rufus P. Spalding.....Of Ohio.
William Higby.....Of California.
Edwin R. V. Wright.....Of New Jersey.

COMMITTEE ON BANKING AND CURRENCY.

Theodore M. Pomeroy.....Of New York.
Samuel Hooper.....Of Massachusetts.
Charles V. Culver.....Of Pennsylvania.
Ralph P. Buckland.....Of Ohio.
Aaron Harding.....Of Kentucky.
John Lynch.....Of Maine.
Joseph H. Defrees.....Of Indiana.
Chester D. Hubbard.....Of West Virginia.
Samuel J. Randall.....Of Pennsylvania.

COMMITTEE ON THE PACIFIC RALROAD.

Hiram Price.....Of Iowa.
Thaddeus Stevens.....Of Pennsylvania.
Ignatius Donnelly.....Of Minnesota,
Oakes Ames.....Of Massachusetts.
James Brooks.....Of New York.
Benjamin F. Loan.....Of Missouri.
Sidney Clarke.....Of Kansas.
John Bidwell.....Of California.
James H. D. Henderson.....Of Oregon.

COMMITTEE OF CLAIMS.

Columbus Delano.....Of Ohio.
Giles W. Hotchkiss.....Of New York.
William B. Washburn.....Of Massachusetts.
Ithamar C. Sloan.....Of Wisconsin.
William E. Niblack.....Of Indiana.
Samuel McKee.....Of Kentucky.

Hamilton Ward ..... Of New York.
Abraham A. Barker ..... Of Pennsylvania.
Anthony Thornton ..... Of Illinois.

COMMITTEE ON COMMERCE.

Ellihu B. Washburne ..... Of Illinois.
Thomas D. Eliot ..... Of Massachusetts.
Nathan F. Dixon ..... Of Rhode Island.
Charles O'Neill, ... Of Pennsylvania.
John W. Longyear ..... Of Michigan.
James Humphrey ..... Of New York.
John L. Thomas, jr ..... Of Maryland.
Benjamin Eggleston ..... Of Ohio.
James M. Humphrey ..... Of New York.

COMMITTEE ON THE PUBLIC LANDS.

George W. Julian ..... Of Indiana.
John F. Driggs ..... Of Michigan.
Adam J. Glossbrenner ..... Of Pennsylvania.
Ignatius Donnelly ..... Of Minnesota.
Ephraim R. Eckley ..... Of Ohio.
Sidney T. Holmes ..... Of New York.
Donald C. McRuer ..... Of California.
George W. Anderson ..... Of Missouri.
Stephen Taber ..... Of New York.

COMMITTEE ON THE POST OFFICE AND POST ROADS.

John B. Alley ..... Of Massachusetts.
John H. Farquhar ..... Of Indiana.
William E. Finck ..... Of Ohio.
Donald C. McRuer ..... Of California.
Thomas W. Ferry ..... Of Michigan.
Philip Johnson ..... Of Pennsylvania.
Andrew J. Kuykendall ..... Of Illinois.
Demas Hubbard, jr ..... Of New York.
John R. Kelso ..... Of Missouri.

COMMITTEE FOR THE DISTRICT OF COLUMBIA.

Ebon C. Ingersoll ..... Of Illinois.
Ebenezer Dumont ..... Of Indiana.
Thomas T. Davis ..... Of New York.
John D. Baldwin ..... Of Massachusetts.
Hiram McCullough ..... Of Maryland.
Amasa Cobb ..... Of Wisconsin.
Martin Welker ..... Of Ohio.
Ulysses Mercur ..... Of Pennsylvania.
George S. Shanklin ..... Of Kentucky.

COMMITTEE ON THE JUDICIARY.

James F. Wilson ..... Of Iowa.
George S. Boutwell ..... Of Massachusetts.
Francis Thomas ..... Of Maryland.

Thomas Williams.....Of Pennsylvania.
Frederick E. Woodbridge.....Of Vermont.
Daniel Morris.....Of New York.
Andrew J. Rogers.....Of New Jersey.
William Lawrence.....Of Ohio.
Burton C. Cook.....Of Illinois.

COMMITTEE ON REVOLUTIONARY CLAIMS.

Kellian V. Whaley.....Of West Virginia.
William A. Newell.....Of New Jersey.
Charles A. Eldridge.....Of Wisconsin.
John L. Thomas, jr.....Of Maryland.
Stephen F. Wilson.....Of Pennsylvania.
Burt Van Horn.....Of New York.
Reader W. Clarke.....Of Ohio.
Rowland E. Trowbridge.....Of Michigan.
Lawrence S. Trimble.....Of Kentucky.

COMMITTEE ON PUBLIC EXPENDITURES.

Calvin T. Hulburd.....Of New York.
John M. Broomall.....Of Pennsylvania.
Asahel W. Hubbard.....Of Iowa.
Edward H. Rollins.....Of New Hampshire.
Morgan Jones.....Of New York.
Green Clay Smith.....Of Kentucky.
Samuel L. Warner.....Of Connecticut.
Tobias A. Plants.....Of Ohio.
John A. Nicholson.....Of Delaware.

COMMITTEE ON PRIVATE LAND CLAIMS.

M. Russell Thayer.....Of Pennsylvania.
Giles W. Hotchkiss.....Of New York.
Jehu Baker.....Of Illinois.
Rutherford B. Hayes.....Of Ohio.
Charles Goodyear.....Of New York.
Thomas E. Noell.....Of Missouri.
George S. Boutwell.....Of Massachusetts.
Frederick E Woodbridge.....Of Vermont.
Michael C. Kerr.....Of Indiana.

COMMITTEE ON MANUFACTURES.

James K. Moorhead.....Of Pennsylvania,
Oakes Ames.....Of Massachusetts.
Hezekiah S. Bundy.....Of Ohio.
Lawrence S. Trimble.....Of Kentucky.
Robert S. Hale.....Of New York.
Abner C. Harding.....Of Illinois.
Philetus Sawyer.....Of Wisconsin.
Chester D. Hubbard.....Of West Virginia.
Edwin N. Hubbell.....Of New York.

COMMITTEE ON AGRICULTURE.

John Bidwell.....Of California.
Josiah B. Grinnell.....Of Iowa.
Thomas N. Stillwell.....Of Indiana.
Portus Baxter.....Of Vermont.
James R. Hubbell.....Of Ohio.
Burwell C. Ritter.....Of Kentucky.
Rowland E. Trowbridge.....Of Michigan.
George V. Lawrence.....Of Pennsylvania.
Teunis G. Bergen.....Of New York.

COMMITTEE ON INDIAN AFFAIRS.

William Windom.....Of Minnesota.
Walter D. McIndoe.....Of Wisconsin.
Charles Denison.....Of Pennsylvania.
Asahel W. Hubbard.....Of Iowa.
Sidney Clarke.....Of Kansas.
Roswell Hart.....Of New York.
Lewis W. Ross.....Of Illinois.
James H. D. Henderson.....Of Oregon.
Robert T. Van Horn.....Of Missouri.

COMMITTEE ON MILITARY AFFAIRS.

Robert C. Schenck.....Of Ohio.
Henry C. Deming.....Of Connecticut.
Gilman Marston.....Of New Hampshire.
Lovell H. Rousseau.....Of Kentucky.
John A. Bingham.....Of Ohio.
Sydenham E. Ancona.....Of Pennsylvania.
John H. Ketcham.....Of New York.
James G. Blaine.....Of Maine.
Charles Sitgreaves.....Of New Jersey

COMMITTEE ON THE MILITIA.

Green Clay Smith.....Of Kentucky.
Abner C. Harding.....Of Illinois.
Ralph P. Buckland.....Of Ohio.
Robert S. Hale.....Of New York.
Thomas E. Noell.....Of Missouri.
Charles E. Phelps.....Of Maryland.
John H. Farquhar.....Of Indiana.
Thomas W. Ferry.....Of Michigan.
Benjamin M. Boyer.....Of Pennsylvania.

COMMITTEE ON NAVAL AFFAIRS.

Alexander H. Rice.....Of Massachusetts.
John A. Griswold.....Of New York.
Frederick A. Pike.....Of Maine.
William D. Kelley.....Of Pennsylvania.
Augustus Brandegee.....Of Connecticut.
Charles A. Eldridge.....Of Wisconsin.

Charles E. Phelps ..... Of Maryland.
William A. Darling ..... Of New York.
Francis C. LeBlond ..... Of Ohio.

COMMITTEE ON FOREIGN AFFAIRS.

Nathaniel P. Banks ..... Of Massachusetts.
Henry J. Raymond ..... Of New York.
Godlove S. Orth ..... Of Indiana.
William H. Randall ..... Of Kentucky.
John L. Dawson ..... Of Pennsylvania.
James W. Patterson ..... Of New Hampshire.
William A. Newell ..... Of New Jersey.
Shelby M. Cullom ..... Of Illinois.
Charles H. Winfield ..... Of New York.

COMMITTEE ON THE TERRITORIES.

James M. Ashley ..... Of Ohio.
Fernando C. Beaman ..... Of Michigan.
John H. Rice ..... Of Maine.
Henry Grider ..... Of Kentucky.
James M. Marvin ..... Of New York.
Myer Strouse ..... Of Pennsylvania.
Ralph Hill ..... Of Indiana.
Samuel W. Moulton ..... Of Illinois.
John F. Starr ..... Of New Jersey.

COMMITTEE ON REVOLUTIONARY PENSIONS.

Walter D. McIndoe ..... Of Wisconsin.
Hiram Price ..... Of Iowa.
Benjamin M. Boyer ..... Of Pennsylvania.
Charles Goodyear ..... Of New York.
Charles Upson ..... Of Michigan.
Augustus Brandegee ..... Of Connecticut.
William B. Washburn ..... Of Massachusetts.
Martin Welker ..... Of Ohio.
Sidney T. Holmes ..... Of New York.

COMMITTEE ON INVALID PENSIONS.

Sidney Perham ..... Of Maine.
Thomas N. Stillwell ..... Of Indiana.
Nelson Taylor ..... Of New York.
John F. Driggs ..... Of Michigan.
Henry Van Aernam ..... Of New York.
George V. Lawrence ..... Of Pennsylvania.
Philetus Sawyer ..... Of Wisconsin.
John F. Benjamin ..... Of Missouri.
Aaron Harding ..... Of Kentucky.

COMMITTEE ON ROADS AND CANALS.

Fernando C. Beaman ..... Of Michigan.
Burt Van Horn ..... Of New York.
John H. Hubbard ..... Of Connecticut.

Lovell H. Rousseau.....Of Kentucky.
John Wentworth.....Of Illinois.
Thomas T. Davis.....Of New York.
George F. Miller.....Of Pennsylvania.
Joseph H. Defrees.....Of Indiana.
William E. Finck.....Of Ohio.

COMMITTEE ON PATENTS.

Thomas A. Jenckes.....Of Rhode Island.
Leonard Myers.....Of Pennsylvania.
John W. Chanler.....Of New York.
John H. Hubbard.....Of Connecticut.
Henry P. H. Bromwell.....Of Illinois.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

John H. Rice.....Of Maine.
John F. Starr.....Of New Jersey.
Stephen F. Wilson.....Of Pennsylvania.
Francis C. LeBlond,.....Of Ohio.
George R. Latham.....Of West Virginia.

COMMITTEE ON REVISAL AND UNFINISHED BUSINESS.

Glenni W. Scofield.....Of Pennsylvania.
James F. Wilson.....Of Iowa.
James M. Ashley.....Of Ohio.
Alexander H. Rice.....Of Massachusetts.
Theodore M. Pomeroy.....Of New York.

COMMITTEE ON MILEAGE.

George W. Anderson.....Of Missouri.
Gilman Marston.....Of New Hampshire.
Tobias A. Plants.....Of Ohio.
Henry Grider.....Of Kentucky.
Andrew J. Kuykendall.....Of Illinois.

COMMITTEE ON ACCOUNTS.

Edward H. Rollins.....Of New Hampshire.
John M. Broomall.....Of Pennsylvania.
Ephraim R. Eckley.....Of Ohio.
Michael C. Kerr.....Of Indiana.
Hamilton Ward.....Of New York.

COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES.

John A. Kasson.....Of Iowa.
Charles H. Winfield.....Of New York.
Thomas Williams.....Of Pennsylvania.
Hezekiah S. Bundy.....Of Ohio.
Henry L. Dawes.....Of Massachusetts.

COMMITTEE ON EXPENDITURES IN THE STATE DEPARTMENT.

Frederick A. Pike ..... Of Maine.
Henry P. H. Bromwell ..... Of Illinois.
Samuel J. Randall ..... Of Pennsylvania.
Roswell Hart ..... Of New York.
Samuel Shellabarger ..... Of Ohio.

COMMITTEE ON EXPENDITURES IN THE TREASURY DEPARTMENT.

James M. Marvin ..... Of New York.
Charles V. Culver ..... Of Pennsylvania.
Ralph Hill ..... Of Indiana.
Shelby M. Cullom ..... Of Illinois.
Burwell C. Ritter ..... Of Kentucky.

COMMITTEE ON EXPENDITURES IN THE WAR DEPARTMENT.

Henry C. Deming ..... Of Connecticut.
Ithamar C. Sloan ..... Of Wisconsin.
George F. Miller ..... Of Pennsylvania.
Edwin N. Hubbell ..... Of New York.
James R. Hubbell ..... Of Ohio.

COMMITTEE ON EXPENDITURES IN THE NAVY DEPARTMENT.

James Humphrey ..... Of New York.
George W. Julian ..... Of Indiana.
Samuel W. Moulton ..... Of Illinois.
Samuel L. Warner ..... Of Connecticut.
Charles Denison ..... Of Pennsylvania.

COMMITTEE ON EXPENDITURES IN THE POST OFFICE DEPARTMENT.

Jehu Baker ..... Of Illinois.
Leonard Myers ..... Of Pennsylvania.
William A. Darling ..... Of New York.
Benjamin Eggleston ..... Of Ohio.
Andrew J. Rogers ..... Of New Jersey.

COMMITTEE ON EXPENDITURES IN THE INTERIOR DEPARTMENT.

Ebenezer Dumont ..... Of Indiana.
Myer Strouse ..... Of Pennsylvania.
John F. Benjamin ..... Of Missouri.
William B. Allison ..... Of Iowa.
Samuel McKee ..... Of Kentucky.

COMMITTEE ON EXPENDITURES ON THE PUBLIC BUILDINGS.

John W. Longyear ..... Of Michigan.
John D. Baldwin ..... Of Massachusetts.
Nathan F. Dixon ..... Of Connecticut.
Philip Johnson ..... Of Pennsylvania.
William H. Randall ..... Of Kentucky.

JOINT COMMITTEE ON THE LIBRARY.

Rutherford B. Hayes.....Of Ohio.
William D. Kelly.....Of Pennsylvania.
Calvin T. Hulburd.....Of West Virginia.

JOINT COMMITTEE ON PRINTING.

Addison H. Laflin.....Of New York
Reader W. Clarke.....Of Ohio
George R. Latham.....Of West Virginia.

JOINT COMMITTEE ON ENROLLED BILLS.

Amasa Cobb.....Of Wisconsin.
Adam J. Glossbrenner.....Of Pennsylvania.

SELECT COMMITTEES.

COMMITTEE ON THE RULES.

The Speaker.
Ellihu B. Washburne.....Of Illinois.
Nathaniel P. Banks.....Of Massachusetts.
John L. Dawson.....Of Pennsylvania.
Henry J. Raymond.....Of New York.

SELECT COMMITTEE ON BANKRUPT LAW.

Thomas A. Jenckes.....Of Rhode Island.
Rufus P. Spaulding.....Of Ohio.
Francis Thomas.....Of Maryland.
John W. Chandler.....Of New York.
M. Russell Thayer.....Of Pennsylvania.
Henry T. Blow.....Of Missouri.
John Lynch.....Of Maine.
Anthony Thornton.....Of Illinois.
John B. Alley.....Of Massachusetts.

SELECT COMMITTEE ON FREEDMEN.

Thomas D. Eliot.....Of Massachusetts.
William D. Kelly.....Of Pennsylvania.
Godlove S. Orth.....Of Indiana.
John A. Bingham.....Of Ohio.
Nelson Taylor.....Of New York.
Benjamin F. Loan.....Of Missouri.
Josiah B. Grinnell.....Of Iowa.
Halbert E. Paine.....Of Wisconsin.
Samuel S. Marshall.....Of Illinois.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 4.

TO AMEND THE CONSTITUTION OF THE UNITED STATES.

Mr. BOUTWELL offered the following resolution:

RESOLUTION

Proposing an amendment to the Constitution of the United States.

DECEMBER 13, 1865.—Referred to the Committee on the Judiciary and ordered to be printed.

HOUSE OF REPRESENTATIVES,
December 11, 1865.

Resolved, That the Committee on the Judiciary be instructed to consider the expediency of reporting an amendment to the Constitution of the United States which shall provide substantially—

That no State shall make any distinction in the exercise of the elective franchise on account of race or color.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 5.

FREE EDUCATION IN THE UNITED STATES.

PETITION

OF THE

TOWN OF MEDFORD, MIDDLESEX CO., MASSACHUSETTS,

FOR

Governmental aid in securing free education to all the children in the United States.

DECEMBER 11, 1865.—Presented by Mr. BANKS, and referred to the Committee on the Judiciary.
DECEMBER 20, 1865.—Ordered to be printed

To the honorable Senate and House of Representatives of the United States in Congress assembled:

The undersigned, citizens of Medford, in the county of Middlesex and Commonwealth of Massachusetts, respectfully show, that at a legal meeting of the inhabitants of Medford, held on the 7th of November, 1865, they were instructed to present to the Congress of the United States, in December next, a memorial in favor of the objects contained in the following resolution, which was unanimously adopted:

"*Resolved*, That the Rev. Charles Brooks and the board of selectmen be requested to memorialize the Congress of the United States, in December next, to aid the several States of the Union in establishing free schools, in which all their children, without regard to locality, condition, sex, or color, may be taught to read, write, and cipher."

The undersigned, in pursuance of said instructions, would now address you, and in the name of all our fellow-citizens, whose residences are almost under the shadow of Bunker Hill monument, we would most respectfully say, that we are thoroughly convinced that a new educational era is opening before our country, in which free schools and public education must be relied upon as the wise expedient and all-sufficient means for securing to the republic its fullest power, prosperity and renown. We do, therefore hereby most respectfully pray your honorable body to make such provisions for the full activity of these safe and Christian agencies as shall secure, without let or hindrance, to every child born in the United States, a competent education; and this "without regard to locality, condition, sex, or color."

We have been taught that education is to a human being what the mainspring is to the watch, what the water-wheel is to the factory, what air is to the lungs, and what light is to the eye; our fervent prayer, therefore, is, that the enlightened and loyal Congress of 1865–'66 may give this subject their profound attention, and devise such modes of action as shall induce each State in the

Union to enter upon its duties of public schools and free education. Thus shall you erect a monument for your country and for yourselves that will be higher and more durable than that on Bunker Hill.

A brief outline of the system we contemplate is this: A Bureau of Education at Washington, whose head would be the Secretary of Public Instruction.

Each incorporated city, town, district, or village in the United States to have the power to create, support, and manage its free public schools; elect and pay its teachers without let or hindrance, and all those teachers to be responsible *only* to the city, town, district, or village that employs them. This is extending through the Union the New England democratic republican system of free schools—our joy and power.

Each State in the Union to create, support, and manage one or more free public colleges; elect and pay their teachers without let or hindrance, all said teachers being responsible *only* to the State.

The United States to create, support, and manage as many free public universities as the times may demand; elect and pay the teachers, and said teachers to be responsible only to the national government.

In these national universities should be taught, by the most accomplished teachers, everything which can make our republic healthy, learned, polished, heroic, powerful, prosperous, and good. The course of studies should be such as aim constantly at these results. The universities must not be reservoirs only; they must be fountains. They must not only teach what is known, but be pioneers in discovering truths heretofore unknown, and powers heretofore untried, and then reducing such new forces to their practical applications. They would thus send new life and power into every college, workshop, and family in the land.

The connexion of the whole with the national government is this: The cities, towns, districts, and villages shall report annually to the State legislature all the important facts relating to the schools within their limits, recommending such improvements in studies and discipline as wisdom and experience may suggest. Each free college to report annually to the State legislature all the important facts connected with its condition, progress and wants, recommending such changes as wisdom and experience may suggest.

Each State legislature shall report annually to the Bureau of Education, at Washington, all the important facts connected with the free schools and free colleges of its State, recommending such improvements in the system of instruction or the rules of government as experience and foresight may suggest.

The national universities shall annually report to the Bureau of Education all the important facts belonging to them, recommending such changes as time and reason suggest.

The Bureau of Education shall, by its Secretary, report annually to Congress all the important facts belonging to the free schools and free colleges of each State, and also all the important facts belonging to the national universities, adding such elaborate discussions or criticisms on every department of study and discipline as experience and good judgment may suggest.

Thus this system begins with the people, goes on with the people, and ends with the people, avoiding all the evils of undue centralization. It is a true democratic republican system, in which the centripetal forces have no damaging effects on the centrifugal.

The unity of the system may be further seen in the arrangement of the studies, they being arranged in a gradually ascending series, corresponding to the gradually unfolding powers of the mind, beginning with the child at five years of age, and ending with the graduate of the university at the age of twenty-four.

The annual reports to Congress by the Secretary of Public Instruction would enable every city, town, district and village in the United States to know

exactly what was best doing for education in every square mile of the great republic. It is inconceivable what immense and increasing advantages must flow from such an all-pervading and harmonious system of benevolent activity.

The peculiar concurrence of circumstances in our country now calls emphatically for legislative action on this vital topic. Never since the Christian era has such a nation had such an opportunity for doing such a glorious, philanthropic, and durable work.

We think that President Lincoln's proclamation of January 1, 1863, contains within itself *our country's promise* to educate the four millions of immortal beings whom it brought out of that slavery which forbade education, into that freedom which requires it. We shall do these freedmen an unpardonable wrong before high Heaven and before the world if we refuse to fit them for the *new and difficult positions* in which we have placed them. Justice and humanity ask us to prepare them to comprehend their rights and to perform their duties. Is it right to give a child life and then deny it food? Looking comprehensively at the facts, it is plain that the national government stands at this time *in loco parentis* to each freedman, and that each one, therefore, has a natural right to ask for so much physical, intellectual and moral development as will enable him to make the most of himself, and thereby do the most good to himself, to his family, and to his country.

Another motive for the legislative action of Congress is found in the rapidly increasing numbers of European emigrants, many of whom come here with ideas, tastes, and habits different from ours. Some of them have opinions and principles adverse to our established institutions, especially on the subject of ecclesiastical rights and sway. It is of measureless importance that the children of these emigrants should be educated in our free, public, Christian schools.

Another motive is this: we are the leading republic of the world, and are bound by that fact to be an example to the rest, especially to our sister republics of South America. The Anglo-Saxon blood on this side of the globe must faithfully educate and peacefully lead the other races. It is our destiny, and *we must fulfil it.* It appears to us that we shall be traitors to our trust if we do not hereafter publish to all nations a higher type of national character than has yet been known; a character which avows *love of God* as its first motive to action, and *usefulness to mankind* as the required proof of sincerity.

If the aid of Congress is indispensable in introducing this new era of educational reform, the question arises: Has Congress the constitutional power to act in the premises?

We partly answer this question by stating what Congress *has* done for education.

May 20, 1785, Congress devoted to the use of public schools the 16th section of every township owned by them.

In their ordinance of 1787 they declared thus: "Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, *schools* and the means of education shall be *forever* encouraged."

They further gave five per cent. of the net proceeds of the sales of all public lands in each of the States and Territories in which they are situated.

They say also: "There shall be reserved one-third part of all gold, silver, and copper mines, for the maintenance of *public schools* within said township."

Again they say: "Lot No. 29, in each township, to be given perpetually for the purposes of religion."

Again: "Thirty-six sections, to be located in a body by the Secretary of the Treasury, for the use of Jefferson College."

Again, grants made to Georgetown Catholic College, and to Columbia College.

May 20, 1826, Congress granted "two entire townships for the use and support of a university within the Territory of Michigan; and for no other use or purpose whatsoever."

January 24, 1827, Congress voted: "That the President cause to be selected from any of the public lands of the United States in Missouri, in quantities not less than a section, for the purposes of a seminary or seminaries of learning in that State;" and "said lands shall vest in the State of Missouri."

January 29, 1827, grant for seminaries of learning, and for the deaf and dumb asylum in Kentucky.

Same day a grant to Florida, and March 3, 1827, to Louisiana, and March 2, 1831, to Illinois, for education.

July 14, 1832, city lots granted to the corporation of Columbia College, D. C., worth $25,000, for the endowment and establishment of professorships.

Grants to establish colleges for teaching agriculture have been made, and Cornell Agricultural College, in New York, is the recent fruit of the wise legislation.

The West Point Military School was designed to teach freely the important sciences and arts connected with war, because these sciences and arts were needed by the country; and for the same reasons we now ask that free schools may be everywhere established to teach all children what they will most need in the world.

The above-named grants of Congress for the advancement of schools and education are not all that are found in the records of Congress, but they are enough to show what Congress has a *right* to do in this direction.

If it was constitutionally right to furnish the means of education in colleges, in seminaries, Protestant and Catholic; in asylums for the deaf and dumb, in academies for teaching soldiers, is it not as constitutionally right for the present Congress to grant some kind of aid and some proper inducements to every State in the Union to establish and endow free public schools and free public colleges? What ought to be done can be done; and where there's a will there's a way.

If, however, valid objections should exist to offering any aids or inducements similar to those above mentioned, we urgently ask your honorable body to find some other allowed way of doing the great work which the circumstances of the country so imperiously demand, and the time so remarkably favors.

If, after all, no way presents itself but an amendment of the Constitution, then WE WOULD MOST RESPECTFULLY AND HEARTILY ASK FOR THAT; because we think that the *constitutional* establishment of a pure, democratic, republican system of free public schools, free public colleges, and free public universities is the most safe, wise, durable, patriotic, and Christian provision which our country can now adopt for its future enlightenment and union, prosperity and renown.

To secure the appropriate education of every child in the republic, it might be expedient to insert in the Constitution an article like this:

No person born in the United States after the first day of January, 1880, shall be married in said States who cannot read, write, and cipher.

We have recently seen the United States exercise their right to *hang;* would it not be much more useful and humane to exercise their right to *educate?* Shall the leading republic of the world live contentedly, in this nineteenth century, *with* the right to hang, and *without* the right to educate? Surely, here, an ounce of prevention is worth a pound of cure. We would therefore put the following question to the strong common sense, to the parental affections, and to the Christian benevolence of every State in our Union: Can the people of the United States do a wiser, safer, or holier thing than to clothe themselves with the constitutional rights and powers of educating themselves, and every one of their descendants, to the latest generations?

Slavery kept the word EDUCATION out of our national Constitution; now four millions of liberated slaves, four millions of starved minds implore its introduction. They ask of us bread: shall we give them a stone?

The nations in Europe most distinguished by science, literature, arts, and religion, have found it for their highest interest, for their internal peace, and for their outward renown, to organize systems of national education, which should reach every child within their borders. We feel confident in saying, that the systems of Holland, Prussia, Austria, Belgium, France, Baden, Bavaria, and Switzerland, can be so Americanized by us as to give us a system of universal and free culture, whose vastness, power, and practical working have nowhere been witnessed.

Such a system, called into being by our national Constitution, and suited to our thousand years of growth and our nameless millions of inhabitants, will place us at the head of the nations, while it becomes more and more the progressive agency, the conservative power, and the distinguishing blessing of our national life.

We believe the fulness of time has come for the great republic to take this step. We have taught the nations to fly across the ocean in our steamboats; we have magnetized the world by our telegraph; we have iron-clad the world by our monitors: let us now educate parentally *all our children* by our free schools, free colleges, and free universities. Shakspeare says:

> "Doubt not but success
> Will fashion the event in better shape
> Than I can lay it down in likelihood."

Having the fullest confidence in the loyalty, foresight and wisdom of the present national government, we now present to you our prayer.

CHARLES BROOKS.
NATHAN W. BRIDGE.
CHARLES RUSSELL.
PARKER R. LITCHFIELD.
ELBRIDGE TEEL.
CHARLES CURRIER.
JOHN P. PERRY.
JOSHUA CLARK.

39TH CONGRESS, 1st Session. } HOUSE OF REPRESENTATIVES. { MIS. DOC. No. 6.

TREASON OF JEFFERSON DAVIS AND OTHERS.

DECEMBER 20, 1865.—Laid on the table and ordered to be printed.

Mr. W. LAWRENCE, on leave, introduced the following

RESOLUTIONS:

Resolved, That public justice and national security demand that, so soon as it may be practicable, Jefferson Davis—a representative man of the rebellion—should have a fair and impartial trial in the highest appropriate civil tribunal of the country for the treason, most flagrant in character, by him committed, in order that the Constitution and the laws may be fully vindicated, the truth clearly established and affirmed that treason is a crime, and that the offence may be made infamous; and, at the same time, that the question may be judicially settled finally and forever that no State, of its own will, has the right to renounce its place in the Union.

Resolved, That public justice and national security demand, that in case of the conviction of said Jefferson Davis, the sentence of the law should be carried into effect, in order that the Constitution and the laws may be fully vindicated and faithfully executed, the truth clearly established and affirmed that treason is a crime, and that traitors should be punished.

Resolved, That in like manner, and for like reasons, such of the most culpable of the chief instigators and conspirators of the rebellion as may be necessary to satisfy the demands of public justice and furnish security for the future, and those criminally responsible for the murder and starvation of Union prisoners of war, should be tried and punished for the high crimes of which they have been guilty.

Resolved, That justice should not fail of its purpose, and that all who are guilty of or responsible for the assassination of the late President, and the great offenders during the recent rebellion, guilty of and responsible for the murder and starvation of Union prisoners of war, as well as those guilty of or responsible for other unparalleled violations of the laws of civilized warfare, are amenable to, and should be tried, convicted, and punished by, military tribunals authorized by law and sanctioned by the common law of war and the usage of civilized nations, whenever and so far as may be necessary to secure the ends of justice.

Resolved, That the Committee on the Judiciary be instructed to inquire what legislation, if any, may be necessary to provide juries for trials for treason, for writs of error, and to carry into effect the purposes of the foregoing resolutions; and that said committee report by bill or otherwise.

DODGE vs. BROOKS.

PAPERS

IN THE CASE OF

DODGE vs. BROOKS,

IN THE

Eighth congressional district of New York.

DECEMBER 13, 1865.—Ordered to be printed.

To the honorable the House of Representatives of the United States:

The undersigned, William E. Dodge respectfully represents to your honorable body, that at the general election in the State of New York, holden in November, 1864, he and the Hon. James Brooks were candidates for the office of representative in and for the eighth district of said State. Upon the official returns filed in the office of secretary of state, at Albany, in said State, a certificate of election was issued to said Brooks, and he is now the sitting member in your honorable body. The undersigned claims that he received a plurality of all the legal votes cast in said district at said election, and is therefore entitled to the seat now occupied by the Hon. James Brooks, and respectfully asks that the matter may be inquired into by your honorable body.

The undersigned further represents, that within the time and in the manner prescribed by your honorable body he served upon the sitting member a notice of his intention to contest his right to the seat, and setting forth fully the grounds of the same, to which the sitting member made answer in writing, and under which a large amount of testimony was taken. Said notice, answer, and testimony, with other papers, have been duly transmitted to the Clerk of the House of Representatives. The undersigned respectfully asks that said papers on file in the Clerk's office, relating to the right to said seat, may be made part of this memorial.

The undersigned asks that speedy and thorough examination may be made, and such action be had as will admit him to the seat of which he is now, as he believes, unjustly deprived.

W. E. DODGE.

NEW YORK, *January* 4, 1865.

SIR: You will take notice that I shall contest your right to sit in the House of Representatives, as member from the eighth congressional district of New York, in the thirty-ninth Congress.

The following are the grounds on which I rely:

First. That at the election held on the 8th day of November, 1864, in each following district of the Eighteenth, Twentieth, and Twenty-first wards, sundry persons were permitted to vote for you who were not qualified voters of the same.

Second. That sundry persons of alleged political influence, residing in other portions of the State, disloyal, and fraudulently contriving to return to the national Congress a representative of congenial views, did conspire to compass that end by divers fraudulent means; and for that purpose did forge soldiers' votes, and encourage their sympathizers in the city of New York by various letters, in which it was strenuously urged that whatever else was left undone, *you* must be elected; that by any and all means the eighth congressional district must be made straight, (meaning that by any frauds, and such as were practiced as hereinafter charged, you, James Brooks, must be elected;) by other suspicious statements, indicating that there must be no hesitancy to perpetrate any act that would accomplish the result.

Third. That the result of such conspiracy procured a vote in the district of nearly twenty-three thousand, being five thousand more votes than had ever been cast therein before, and seven thousand more than had been cast in the same district at an election of general interest held two years before; and this, notwithstanding that in the said district, during the intervening period, there had not been constructed one hundred new buildings of any kind or description, and that there was nothing to indicate the incursion of five thousand voters, with all the families and other indications of their existence, which move with them wherever they go, and stop with them wherever they abide.

Fourth. That this mysterious increase to the voting population was of one political faith, notwithstanding that either party was equally active in canvassing for votes.

Fifth. That in the first, second, third, fourth, fifth, sixth, and seventh districts of the Twenty-first ward, and in the sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, and fifteenth districts of the Eighteenth ward, and in the first, fifth, eighth, ninth, and eleventh districts of the Twentieth ward there were great errors and irregularities in the conduct of the election; and just in proportion as these irregularities were frequent and glaring did the increase of your vote over the vote cast for the candidate of your party two years before show itself.

Sixth. That while this district is divided into forty-three polling districts, the increase of votes is found almost exclusively in sixteen districts.

Seventh. That sundry persons, not legal residents and qualified voters of the second district of the Twenty-first ward, were permitted to vote for you in said district at said election, to wit, one hundred persons and upwards; while the votes of sundry soldiers, legal and qualified voters of said ward, who had enclosed a vote for me, were illegally rejected.

Eighth. That in the said second district the names of alleged soldiers were registered without a shadow of evidence, and contrary to the law of the State; that a resident of the district was present, and did most solemnly protest thereat in vain; that at the place of registry, more than an hour after the adjournment of the board of registers, the clerk of the board took from his pocket a list of thirty names, and from the table a list of ten that had been handed in, and copied them upon the book of registry; that a citizen present did protest and demand a list of such names that he might challenge those who should attempt to vote upon them on the day of the election, which was refused; that the book of registry was kept open, and names inserted for three days after the expiration of the time allowed by law; that no copy of the register was open for inspection at the place of holding the polls; that no copy was given to Inspector Walker, notwithstanding he repeatedly called for and demanded one until election morning; that one of the register books was then brought by one

Birdsall, a notorious partisan of yours; that the registers were incorrect and defective, lacking all certificates of correctness, and without the indorsement of the registers; that a citizen or partisan of and electioneerer for you, without any oath, and under the protest of at least one of the inspectors, did all day act as assistant inspector; that this district which had never before given three hundred votes, by reason of such frauds and irregularities polled a vote of four hundred and ninety-six.

Ninth. That in the third district of the Twenty-first ward one hundred and eighty-eight votes were cast for me, one hundred and thirty-seven for you, and two hundred and six for Thomas J. Barr; but that through the fraud or negligence of the canvassers the votes correctly counted were incorrectly credited and entered upon one of the returns; that the other correct return was lost from the office of the county clerk; that under threats and intimidations on the part of your agents, and a writ of mandamus issued on motion of your attorney, after the board of county canvassers had been already a week in session, the board of canvassers for the district were forced to sign, and file a return with the county clerk, the duplicate copy of that in the hands of the supervisors of the county.

Tenth. That in the seventh district of the Twenty-first ward sundry persons voted for you who were not legal voters or residents of the district, to wit, one hundred and upwards.

Eleventh. That in the thirteenth district of the Eighteenth ward the voting was of such a grossly fraudulent character as to involve all concerned in it, either in participation or passive permission, and to render it impossible to sift and purge the poll; that one of the inspectors, already a partisan of yours, was bribed to break every law intended to preserve the purity of the ballot-box to accomplish your election; that this said inspector exchanged places with another partisan of yours who, unsworn, acted as inspector; that another partisan of yours, unsworn and unappointed, acted as poll-clerk; that one of the inspectors snatched republican ballots from the hands of his associates, and changed them to democratic, amid the applause of disorderly sympathisers in the polling-room; that he refused to receive divers votes intended for me, and all soldier votes, menacing with oaths and imprecations those who offered them, so that his threats and those of his sympathisers prevented after a certain hour of the day any citizen from offering soldiers' votes; that during the day persistent attempts were made to bribe to infidelity to his trust one of the republican inspectors; that the same inspector was, on the evening at the close of election-day, for his fidelity assaulted, struck down, and grievously injured; that in canvassing the votes the greatest frauds were perpetrated, partisans of yours unsworn acted as canvassers, double votes were counted as two each for you, incorrect ballots were counted as correct, and when neither poll-list, tally, nor ballots agreed, two or more of your partisans rushed within the enclosure and with pen and pencil labored successfully to conceal and correct the same after the republican canvassers had, under their threats, withdrawn; that in this same district sundry persons were permitted to vote once for you, and others were permitted to vote twice, who were not qualified voters, to wit, two hundred and upwards.

Twelfth. That the fifteenth district was not legally created and established; that it was not known to bona-fide residents of the district; that the inspectors of election themselves ascertained the same only by persistent inquiry on the morning of election-day; that the register was fraudulently and irregularly filled with the names of your partisans, most of whom do not reside in the district; that the majority of the names therein were copied from lists handed in by a bar-keeper on the premises, an ardent democrat; that the clerk who acted for the board of registry was neither sworn nor appointed; that the district, only a portion of the original twelfth district from which it was separated, gave more votes than the whole of the twelfth district at the election of last year; that the

population of the district had not during the twelvemonth increased materially that of these votes then cast for you one-third and upwards were given by parties not qualified to vote.

Thirteenth. That in the ninth district of the Twentieth ward sundry persons who were not residents voted for you, to wit, seventy-five or upwards; that the inspectors of election refused to put the oath by law required; that they allowed the republican challengers to be driven away by threats; that they allowed a multitude of illegal votes; that fraud and irregularity so tainted the poll that it cannot be purified or sifted.

Fourteenth. That sundry persons not of the age of twenty-one years were permitted to vote for you.

Fifteenth. That sundry persons not residents of the State twelve months preceding the election were permitted to vote for you.

Sixteenth. That sundry persons not resident of the district thirty days next preceding the election were permitted to vote for you.

Seventeenth. That other irregularities, defects, and illegalities were permitted or occurred in conducting said election whereby my rights as a candidate were prejudiced.

You will further take notice that I claim to have received a plurality of all the votes legally cast at said election, and that I am therefore legally entitled to represent the qualified electors of the eighth congressional district of New York in the thirty-ninth Congress.

WILLIAM E. DODGE,
No. 203 Madison Avenue.

Hon. JAMES BROOKS.

STATE OF NEW YORK, *City and County of New York, ss:*

Before the undersigned personally came Charles Bell this 20th day of February, 1865, and made his solemn oath that he did, on the fourth day of January of the year last mentioned, serve the foregoing notice upon the honorable James Brooks by delivering to him personally a true copy thereof.

CHARLES BELL.

Sworn and subscribed before me this 20th day of February, 1865.

PIERRE W. WILDEY,
Notary Public, New York City and County.

To the Honorable James Brooks, or his attorney:

Take notice that, in the matter of the contest between us as to the right to a seat in the House of Representatives as member from the eighth congressional district of the State of New York in the thirty-ninth Congress, I intend to examine as witnesses in my behalf the following-named persons, viz:

William R. Stewart, Legrand B. Cannon, William H. Fuller, Pierre W. Wildey, James M. McGregor, John H. Sherwood, John O. Gridley, Patrick Brady, William Hoag, Adam Axman, J. W. Addick, Lewis Patterson, P. Bird, W. H. Brish, D. S. Bryant, M. M. Bradley, Nathaniel Burchell, H. Blessom, James Bolmar, C. M. Bell, P. O. C. Benson, William Boies, John Bucher, Peter Campbell, Lawrence Carbury, Lawrence Corbit, C. C. Clark, Andrew B. Corsa, C. V. Clarkson, W. F. Cipperly, Andrew G. Colly, James Dennis, C. A. Bragdon, A. C. Dennis, R. B. Duncan, Francis Duncan, Patrick Donnelly, sr., Patrick Donnelly, jr., Farrell Dorrity, M. S. Ewing, Robert Ebling, John Edler, John Escher, James Fettridge, Michael Flynn, J. M. Franklin, Oscar Frisbie, William Fuchs, David Fuchs, T. M. Fletcher, W. P. Geis, T. W. Gibson, William Gerry, William Gerry, jr., William Crogan, Daniel Gillespie, John Halihan, G. L. House, I. H. Hatt, George Hatt, John Hurley, John Hyde, George Hyde

Levi Hadyn, A. G. Havens, J. W. Havens, J. H. Hampsden, J. H. Haydock, R. G. Hatfield, Frederick Hunzinger, Charles Hilsen, Thomas Hill, M. C. Hill, Edward Heyman, J. W. Hill, John Jackson, J. C. Jones, R. H. Kelty, Peter Kenell, James Lasar, C. E. Leveridge, Isaac H. Lebar, Joseph Ledre, Thomas Lebar, John Livingston, Thomas Mackey, George Matthews, Andrew McMullen, Dominick Minell, Archibald Matthews, Russell Meyers, Frederick Marz, John McGowen, E. O. Morse, George Nidee, Thomas Nixon, Charles H. Nungeise, John H. Owens, Charles Parker, John Perry, Bernard Rauft, Robert Roden, Joseph Roden, Robert Reed, John Roach, Thomas Roach, J. A. Rynners, William T. Robertson, Robert Ray, Benjamin Savage, David Seebel, William Schaffer, W. P. Secor, Philip Smith, Thomas Streech, Alexander Scott, J. P. Townsend, G. R. Turnbull, John Tulley, E. L. Taylor, W. W. Taylor, E. S. Thompson, Harrison Wilson, C. M. Wimple, W. G. Wilson, G. W. Wicker, G. H. Webb, T. M. Wicker, Frederick Whelp, W. E. Waring, J. H. Wormsley, A. J. Winterton, Arthur Wade, William Young Bolrath, J. H. Barnstoff, P. Brant, B. Cosse, D. Ferry, W. Gray, T. W. Gibson, L. Hoyn, A. Hampton, Charles Heiseman, H. Hayes, A. Kennedy, M. Kranike, J. Kerchoff, J. Leach, J. Meyer, J. Melsin, J. Morgan, O. Matthews, N. Maxwell, N. Neushaffer, R. Orr, German Ruxton, C. H. Parker, —— Reston, Matthew Sullivan, T. Sherwood, Francis Smith, C. Taylor, S. Thompson, T. G. Upton, C. Valentine, G. Vieh, H. Wicker, J. Wiley, N. Ward, Z. Zittel, Patrick Reynolds, J. B. Grady, J. L. Jackson, Elum Hampton, Francis Times, H. Maxwell, jr., William Jordan, Joseph Leech, Alanson Pratt, M. Ward, Charles Schick, George H. Van Cleft, Charles H. Rogers, Gideon L. Walker, E. H. Jenny, J. R. Harging, W. D. Chase, A. J. Brady, W. H. Hall, Eugene Solyett;

All of the city of New York and eighth congressional district. Said examination to be had by and before the Hon. John R. Brady, of the court of common pleas, at the Mission school-room, southeast corner of Third avenue and Thirty-first street, on Monday evening, February the 20th, at seven o'clock, and to be continued from day to day until completed.

WILLIAM E. DODGE.

City and County of New York, ss:

James Hamilton, being duly sworn, says that he served a notice, of which the above is a copy, by leaving it at the usual place of abode of James Brooks in Fifth avenue, in the city of New York, where at the time were the wife and family of the said Brooks, on February 10, 1865.

JAMES HAMILTON.

Subscribed and sworn before me this 20th day of February, 1865.

JOHN R. BRADY, *J. C. P.*

To the Hon. James Brooks, or his attorney:

Take notice that, in the matter of contest between us as to the right to a seat in the House of Representatives, as member from the eighth congressional district of the State of New York, in the thirty-ninth Congress, I intend to examine as witnesses in my behalf the following named persons, viz:

Patrick Fenelly, Patrick Hagan, Charles Mullon, Stephen O'Hara, George Walsinger, Frank Hagemeyer, Thomas Hayden, William English, James Owens, T. B. Asten, George Duffy, Robert J. Kelley, Mike Hannegan, J. Kendall, T. E. Smith, Frederick Wade, R. Cooper, R. Lester, Francis McNally, John Lee, Oliver Taylor, Hugh Turner, James Turner, Reefe Ganzer, W. W. Phelps, Warren S. Taylor, T. O'Conner, James Day, Dan. Flynn, Thomas Kearns, James McCarthy, John Wright, Lewis Barco, Hugh D. Smith, J. C.

Croley, M. G. Drummond, L. Masterson, Mark Blackburn, John McCullough, Patrick McGaw, William Halliday, John Sweeny, John Frainor, Edward Quinn, Christopher Higgins, Charles W. Jenning, Michael Hughes, John Lorram, Robert McElroy, John Van Pelt, all of the city of New York and eighth congressional district. Said examination will be conducted before Hon. John R. Brady, judge of the court of common pleas of the city and county of New York, at the Mission School, southeast corner Third avenue and Thirty-first street, on the 28th day of February instant, commencing at seven o'clock evening, and continue from day to day until said testimony is taken.

WILLIAM E. DODGE,
By WM. WALTER PHELPS, *Att'y.*

CITY AND COUNTY OF NEW YORK, *ss:*

John Craig, being duly sworn, says that he served a paper, of which the within is a copy, by leaving the same at the house of James Brooks, in Fifth avenue, February 19, 1865.

JOHN CRAIG.

Sworn before me this 29th day of March, 1865.

JOHN R. BRADY,
Judge New York Common Pleas.

To the Hon. James Brooks, or his attorney:

Take notice that, in the matter of contest between us as to the right to a seat in the House of Representatives, as member from the eighth congressional district of the State of New York in the thirty-ninth Congress, I intend to examine as witnesses in my behalf the following named persons, viz:

John A. Foster, John Caster, James G. McAdam, John P. Smith, B. M. Wriple, R. H. Kelty, Charles H. Nungezer, Pierre W. Wildey, John A. Reiners, Mathew W. Berryman, D. D. Hilliard, Francis Smith, F. Marz, Hugh Reilly, Joseph O. Davis, John Miller, James Keagan, William Ludgate, C. Preston, James Maxwell, Isaac H. Upton, James Gray, J. Edler, jr., William H. Seich, W. J. Tree, J. Bobrath, W. H. S. Wood, W. Wood, E. S. Rushmore, F. Little, George Seals, E. C. Johnson, Edward Caster, W. B. Putnam, J. Nelson, J. Lichtenstein, all of the city of New York and eighth congressional district, except Pierre W. Wildey, who resides at No. 38 Ninth street, in the Fifteenth ward of New York city. Said examination will be conducted before Hon. John R. Brady, judge of court of common pleas of the city and county of New York, at the Mission School, southeast corner Third avenue and Thirty-first street, on the 11th day of March instant, commencing at 10 o'clock and thirty minutes in the morning, and continue from day to day until said testimony is taken.

Dated March 1, 1865.

WILLIAM E. DODGE,
By WM. WALTER PHELPS, *his Att'y.*

STATE OF NEW YORK, *County of New York, ss:*

On this 29th day of March, 1865, before me personally came John Craig, who, being duly sworn, said he served a paper, of which the within is a copy, by leaving it at the residence of James Brooks, in Fifth avenue, in the city of New York, on March 1, 1865.

JOHN CRAIG.

Subscribed and sworn before me the day and year above written.

JOHN R. BRADY,
Judge New York Common Pleas.

To the honorable James Brooks :

Take notice that, in the matter of contest between us as to the right to a seat in the House of Representatives, as member from the eighth congressional district of the State of New York, in the thirty-ninth Congress, I intend to examine as witnesses in my behalf the following named persons, viz :

P. O'Toole, S. Maycock, Thomas Crimmins, O. Neushaffer, William Geery, William Geery, jr., G. Buxton, German Purxton, George Nidee, Edward Boylan, Patrick Rennehan, G. Neushaffer, John Secor, Alexander Smith, all of the city of New York and of the eighth congressional district. Said examination will be conducted before Hon. John R. Brady, judge of the court of common pleas of the city and county of New York, at the Mission School, southeast corner Third avenue and Thirty-first street, on the 16th day of March instant, commencing at seven o'clock in the evening, and continue from day to day until said testimony is taken.

Dated March 6, 1865.

WILLIAM E. DODGE,
By WM. WALTER PHELPS, *Att'y.*

CITY AND COUNTY OF NEW YORK, *ss :*

John Craig, being duly sworn, says he served a notice, of which the within is a copy, by leaving it at Mr. Brooks's residence on the 6th day of March, 1865.

JOHN CRAIG.

Sworn before me this 29th day of March, 1865.

JOHN R. BRADY,
Judge New York Common Pleas.

To the honorable James Brooks :

Take notice that, in the matter of contest between us as to the right to a seat in the House of Representatives, as member from the eighth congressional district of the State of New York, in the thirty-ninth Congress, I intend to examine as witnesses in my behalf the following named persons, viz :

T. E. Valentine, Edmund Stevenson, Charles E. Chamberlin, William G. Gerner, Arthur Weed, John Carland, Hugh Reilly, Peter Ferris, John R. Winslow, Frank Maguire, S. F. Sherwood, Thomas McEarly, Francis Doman, J. G. Upton, Joseph Lelerer, Benjamin O. Haines, all of the city of New York and of the eighth congressional district. Said examination will be conducted before Hon. John R. Brady, judge of the court of common pleas of the city and county of New York, at the Mission School, southeast corner Third avenue and Thirty-first street, on the 21st day of March instant, commencing at seven o'clock in the evening, and continue from day to day until said testimony is taken.

Dated March 6, 1865.

WILLIAM E. DODGE,
By WM. WALTER PHELPS, *Att'y.*

CITY AND COUNTY OF NEW YORK, *ss :*

Warren S. Taylor, being duly sworn, says that he served a notice, of which the within is a copy, leaving it at the residence of Mr. Brooks on Saturday, March 11.

WARREN J. TAYLOR.

Sworn before me this 29th of March, 1865, by Warren S. Taylor.

JOHN R. BRADY,
Judge New York Common Pleas,

To the Hon. James Brooks, or his attorney:

Take notice, that in the matter of contest between us as to the right to a seat in the House of Representatives, as member from the eighth congressional district of the State of New York, in the thirty-ninth Congress, I intend to examine as witnesses in my behalf the following named persons, viz: Stephen Gorghan, John M. Tracy, Charles Butler, Patrick Herlihy, Julius Lasseen, Robert Nevins, Mortimer Olmsted, George Scales, Patrick Kearney, Thomas Behan, Joseph Lederer, George D. Hilliard, James Brooks, Daniel E. Conerer, John S. Gridley, James G. McAdam, Thomas E. Smith, Peter Nede, or Need, Patrick McGough, Robert Leester, T. Cooper, James McEnelley, John Lee, Oliver Taylor, Isaac Turner, James Turner, Reefe Jauszd, Oliver Hewett, Seymore Connecticut, and James S. Chalker, all of the city of New York, and eighth congressional district, except Oliver Hewett. Said examination will be conducted before Hon. John R. Brady, judge of the court of common pleas, of the city and county of New York, at the Mission School, southeast corner Third avenue and Thirty-first street, on the 28th day of March, commencing at seven o'clock in the evening, and continue from day to day until said testimony is taken.

Dated March 18, 1865.

WILLIAM E. DODGE,
By WM. WALTER PHELPS, *his Attorney.*

CITY AND COUNTY OF NEW YORK, *ss:*

John Craig, being duly sworn, says that he served a paper, of which the above is a copy, by leaving it on the 18th March, 1865, at Mr. Brooks's residence in Fifth avenue.

JOHN CRAIG.

Sworn before me this 29th day of March, 1865.

JOHN R. BRADY,
Judge New York Court Common Pleas.

In the matter of the contested election of the Hon. James Brooks to the 39th Congress.

On the twentieth day of February, 1865, the Hon. James Brooks and the contestant, Mr. W. E. Dodge, appeared before me, at the place designated in the notice in reference to this matter served upon Mr. Brooks, and were attended by their respective counsel, viz., Wm. Walter Phelps, esq., for the contestant, and Nelson J. Waterbury and John H. Author, esquires, for Mr. Brooks. Mr. Phelps commenced the proceedings by putting in evidence the notice of Mr. Dodge of his intention to contest the right of Mr. Brooks to a seat in the 39th Congress; the answer of Mr. Brooks to the allegations contained in the notice; a certified copy of the report of the State canvassers, showing that Mr. Brooks was entitled to the seat claimed; and also evidence of the service of the notice that witnesses would be examined on that, the said twentieth day of February; all which papers will be found in the appendix to this my report. Mr. Waterbury, on behalf of Mr. Brooks, objected to each of these papers being received in evidence, and read a protest against the proceeding itself, signed by Mr. Brooks, which will also be found in the appendix. Mr. Waterbury then asked for an adjournment of the proceedings for ten or twelve days, which was objected to by Mr. Phelps. Mr. Waterbury then, on behalf of Mr. Brooks, offered to consent in writing to extend the time beyond the sixty days provided by act of Congress for commencing and closing the proceedings, if an adjournment should

be granted for the time required by Mr. Brooks. The counsel for Mr. Dodge declined to assent to the proposed extension of time and adjournment, and the proceedings were thereupon adjourned until the 23d day of February, 1865, at 7 o'clock p. m. At the time to which the proceedings had been adjourned, as just mentioned, the parties again appeared, when Mr. Waterbury renewed his application for an adjournment, and in support of it read extracts from the published proceedings in the Winter Davis contested election case, and also a letter from the Hon. H. L. Dawes, (which letter or a copy thereof will also be found in the appendix,) insisting that the consent, if given, to extend the time beyond the sixty-days, would not prejudice the rights of Mr. Dodge. Mr. Phelps, on behalf of Mr. Dodge, declined to consent to the adjournment, and I denied the application. The evidence annexed to this my report was then, and at various times to which the proceedings were adjourned, taken and subscribed before me. I also certify that the proceedings before me were all conducted within the congressional district which Mr. Brooks was elected to represent.

JOHN R. BRADY,
Judge Common Pleas, City of New York.

The following is the testimony taken before me, John R. Brady:

Barney Corse sworn.

Mr. PHELPS:

Question. Mr. Corse, do you reside in the third congressional district, Twenty-first ward?

Answer. I reside 216 East Thirty-second street.

Question. Between what avenues?

Answer. Between Second and Third avenues.

Question. Did you vote the congressional ticket on the 8th of November last?

Answer. I did.

Question. For whom did you vote?

Answer. I voted for Mr. Dodge.

Question. Is your name upon the poll-list of the third district?

Answer. It is.

Question. Does Andrew E. Taylor live at 216 East Thirty-second street?

Answer. No, sir; he has not been living there for these two years past, at least, to my certain knowledge.

Mr. WATERBURY:

Question. What time did you arrive at the polls?

Answer. It was very early; before breakfast; I did not note the minutes; it was soon after the poll opened.

Question. How long was it after you had arrived at the polls before you had an opportunity to vote?

Answer. I might have been detained for an hour.

Question. Did you see your name on the poll-list?

Answer. Yes; so I was told; it was entered there.

Question. Do you know whether it is or not?

Answer. It is on some of the lists; I have seen it there.

Question. Do you know that the book in which you saw it was the poll-list?

Answer. It was there at the polls; it was said to be the poll-list.

Question. Said by whom to be the poll-list?

Answer. By the inspectors there.

Question. Your vote was deposited in the box, was it?

Answer. Yes; I voted the full ticket.

Question. What knowledge have you of that book which has been shown to you by the counsel for Mr. Dodge?

Answer. I have no knowledge except that I see it before me.

Question. From your own knowledge do you know what it is?

Answer. That is all I know of it.

Question. I want an answer to the question?

Answer. If I am to judge by my sight, I judge it is the poll-list.

(Question repeated.)

Answer. I do not understand the technical term. From my own knowledge I see a book before me labelled "poll-list," and it is very evident that it is a poll-list. I don't know that you sit there except that I see you. From my own knowledge as I see before me I know it's a poll-list.

Question. You can tell a person from a book, undoubtedly, by your own knowledge; but supposing there was nothing upon the outside of that book, would you know what it is?

Answer. I should not have known what it is. I should not know that you were sitting there if I didn't see you.

Question. In whose handwriting is that book?

Answer. I cannot say; I don't know.

Question. From your own knowledge can you say at what election it purports to have been kept as a poll-list?

Answer. No; I didn't notice that.

Question. From your own knowledge can you say in what district it purports to have been kept?

Answer. Judging from the names there—from my own sight—that is my knowledge.

Question. Do you know this Mr. Taylor?

Answer. I don't know him; I don't know that there is such a man living; I know there is no such man living in this house, and has not been for the last year.

Question. Do you know whether he voted for Mr. Dodge or not?

Answer. I don't know anything about it.

BARNEY CORSE.

Attest: JOHN R. BRADY, *J. C. P.*

Mr. WATERBURY. We object to these witnesses upon three grounds: First, that, by reason of the insufficiency of the notice given to us, your honor has failed to acquire any jurisdiction in this matter, or any power to take testimony; second, we have not had ten days' notice of the examination of the witness; third, that we have no notice stating the place of residence of the witness. Without taking time to reiterate them every time, we would like to have it entered that we repeat these objections to every witness brought.

William N. Birch sworn. (Objected to.)

Mr. PHELPS:

Question. Is your name on this certified list of voters in the third district, Twenty-first ward?

Answer. Yes, sir.

Mr. ANTHON. We object. His name is on the list William H.

Mr. PHELPS:

Question. You say, Mr. Birch, you have seen your name on that list. Did you vote the congressional ticket?

Answer. I did, sir.

Question. For whom did you vote?

Answer. William E. Dodge.

Mr. ANTHON:

Question. How is your name on that list?

Answer. It is recorded here William H. Birch.

Question. Is your name on that paper?

Answer. It is not.

Question. Do you know what that paper is there?

Answer. It is a certified copy of the poll-list of the third district, Twenty-first ward.

Question. Who is it certified by?

Answer. H. W. Genet, county clerk.

Question. Who else?

Answer. I don't know.

Question. Do you know Mr. Genet?

Answer. No, sir.

Question. Do you know this handwriting?

Answer. No, sir.

Question. Do you know his signature?

Answer. Yes, sir.

Question. Is that his signature?

Answer. From what I have seen of the signature of the county clerk, I say it is.

Question. That, then, is an incorrect copy of the poll-list?

Answer. Yes, sir; so far as my name is concerned, it is incorrect, sir.

Question. At what time did you vote on that day?

Answer. Well, I voted, sir, perhaps not ten minutes after the polls were opened.

Mr. PHELPS:

Question. Do you believe, Mr. Birch, that this name, W. H. Birch, is intended for you?

(Objected to.)

Answer. Yes, sir.

Question. Is the number of the house that of your residence?

(Objected to.)

Answer. Yes, sir.

Question. Has the error been made before in the register and poll-lists, to your knowledge?

(Objected to.)

Answer. It has; more than once.

WILLIAM N. BIRCH.

Attest: JOHN R. BRADY, *J. C. P.*

Alexander Scott sworn. (Objected to. See page 11.)

Mr. PHELPS:

Question. Have you seen your name in this certified poll-list?

Answer. Yes, sir.

Question. Did you vote on the 8th of November the congressional ticket?

Answer. Yes, sir.
Question. For whom did you vote?
Answer. For Mr. William E. Dodge.

Mr. WATERBURY:

Question. How did you know it was the poll-list?
Answer. From the fact that my name was on it when I voted. They found my name on it and the place I voted.
Question. Then your name was on it before you voted?
Answer. Yes, sir; I had my name registered.
Question. You say your name was on the poll-list before you voted?
Answer. That is necessary, I think.
Question. Was it on it or not?
Answer. It was.
Question. Do you say your name was on the poll-list before you voted?
Answer. Yes; for I got it on before I voted, at the legal time for registering.
Question. How long before you voted did you get your name on the poll-list?
Answer. It has been on that list these two or three years, in the same district, and I have seen it on.
Question. How long was it on the poll-list of the last election before you voted?
Answer. It has been on there ever since I moved into the district—that is, I suppose, three years.
Question. What list do you refer to now?
Answer. I refer to the poll-list.
Question. Is it here?
Answer. I understand it is; I seen it here; I have seen my name on it.
Question. You do know that it is the poll list of the last election?
Answer. I don't know whether that is the book that was there or not, but my name is on it, and I believe it from that.
Question. Do you know anything further than that your name is on a book you now see here?
Answer. I know specially that my name is on the poll-list. I can't get into any queries more than that—that it is on it; I said that I seen it on it.
Question. How do you know that the book now here is the poll-list?
Answer. Because it is labelled so; my name is on it.
Question. (Book shown to witness.) Did you ever see that book before you came here to-night?
Answer. I think I did.
Question. Where did you see it before to-night?
Answer. I seen it with some of these gentlemen present.
Question. Where?
Answer. I think I seen it—I couldn't say positively, but I seen it; I can't say positively, only that I seen it here to-night.
Question. Did you ever see it before to-night?
Answer. I have seen something like it.
Question. Where did you see something like it?
Answer. I have seen it or something like it with one of the gentlemen present.
Question. Which of the gentlemen present?
Answer. Mr. Burchell, I think.
Question. Whereabouts did Mr. Burchell have it?
Answer. He had it in his hands.
Question. At what place?
Answer. I don't know where he had it rightly; whether it was in his own house or not.
Question. Where does this Mr. Burchell live?

Answer. In Thirty-first street, 150 east.
Question. When did you see him have it?
Answer. Well, it is some little time ago.
Question. How long ago?
Answer. When these names was a getting. I can't say positively; it may be a few weeks.
Question. Was it six months ago?
Answer. I think I understand weeks from months.
Question. It was not six months. How much less was it?
Answer. I guess it was five months and a half less than six.
Question. Was it three or four weeks ago?
Answer. It might be four.
Question. How many times did you see Mr. Burchell have it?
Answer. I don't know, indeed.
Question. Do you say that you saw him have it at his house?
Answer. I can't say; I believe I have seen it, or something like it—a list of names.
Question. At his house?
Answer. Yes; I have been in his house.
Question. Did you see them up there?
Answer. I can't say, I tell you, if it was in the hands of the inspectors of election or the poll clerks.
Question. When was that?
Answer. I don't know. All I know about the book is that I believe it is the poll-list, and my name is on it.
Question. You are certainly a man of intelligence enough to know about this.
Answer. I am so little posted up about anything more than voting, that I cannot take the time.
Question. You know a book when you see it, don't you?
Answer. Yes.
Question. Who else was present when you saw the book before?
Answer. I don't know who was present. I seen the book, or a book like it.
Question. Who else was present?
Answer. I can't positively say.
Question. Was anybody else present besides you and Mr. Burchell?
Answer. I don't believe there was.
Question. In what district do you vote?
Answer. In the third.
Question. Where do you live?
Answer. 144 East Thirty-first street, between First and Second avenues.
Question. What time did you vote in the day?
Answer. I voted, as near as I can guess; I left the Hudson River shop at twelve o'clock; I came straight over and got on the line; there was some fifty ahead, and it took me considerable time to get in, perhaps half an hour, or three-quarters.
Question. Whom did you vote for?
Answer. Mr. William E. Dodge.
Question. Where were you born?
Answer. In Ireland.
Question. Are you naturalized?
Answer. Yes, sir.
Question. When were you naturalized?
Answer. I was naturalized in September; well, previous to the first election of Mr. Lincoln.
Question. What court?
Answer. I believe it was before his honor Judge Brady.

Question. How long have you resided where you reside now?
Answer. I think about three years.
Question. Did Mr. Burchell ever come to your shop?
Answer. No, sir.
Question. Where else have you seen Mr. Burchell besides at his house and this place?
Answer. Well, sometimes I go to pay him rent.
Question. Is he your landlord?
Answer. He is my agent.
Question. Your agent or your landlord's agent?
Answer. He is my landlord's agent; I don't know whether he owns the property or not.
Question. How many times since the November election have you seen Mr. Burchell?
Answer. That is more than I can answer.
Question. How many times have you seen Mr. Burchell have that book?
Answer. As I said before, it was a large book like it, and I found my name on it.
Question. Do you know that you ever saw this book before to-night?
Answer. I said that I seen it here, and I seen a book just like it before.
Question. Do you say that the book Mr. Burchell had was a different book from that?
Answer. It was a large book similar to that.
Question. Was it the same?
Answer. That I couldn't say.

Mr. ANTHON:

Question. Can you find your name here?
Answer. My name was in the book I seen.
Question. Was the book that you saw your name on in alphabetical order?
Answer. I can't say; I didn't look particularly at that.

Mr. PHELPS:

Question. Do you know the difference between a poll-list and a register?
Answer. Well, the register is where I put my name down at the election; I seen it in alphabetical order there; I don't know politics much, but I understand the register is where I registered my name, and the list is the list of names voted.
Question. When you said that your name had been for years on the poll-list, did you not mean the register?
(Objected to. Question repeated.)
Answer. That is what I understand.

Mr. ANTHON:

Question. You swear that you voted for Mr. Dodge?
Answer. Yes, sir.

ALEXANDER SCOTT.

Attest: JOHN R. BRADY, *J. C. P.*

Joseph B. F. Grady sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Did you vote, on the 8th of November, the congressional ticket?
Answer. I did, sir.
Question. Where do you reside?
Answer. 238 East Thirty-second street, between Second and Third avenues.

Question. Where did you vote?
Answer. I voted at the northeast corner of Thirty-first street and Second avenue.
Question. Did you vote at the polling place of the third district?
Answer. I did, sir.
Question. Is your name upon this certified copy of the poll-list, do you know?
Answer. I do not, sir.
Question. What time of the day did you vote?
Answer. Between 8 and 9 o'clock in the morning, immediately after breakfast.
Question. For whom did you vote?
(Objected to.)
Answer. William E. Dodge.

JOSEPH B. F. BRADY.

Attest: JOHN R. BRADY, *J. C. P.*

Charles H. Nungezer called. (Objected to upon the ground that this name is not upon the poll-list of witnesses. Objection sustained.)

Thomas Nixon sworn. (Objected to. See page 4.)

Mr. PHELPS:

Question. Where do you live, Mr. Nixon?
Answer. 156 Thirty-first street.
Question. Your name?
Answer. Thomas Nixon.
Question. Did you vote on the 8th of November?
Answer. Yes.
Question. In the third district?
Answer. Yes.
Question. Did you vote the congressional ticket?
Answer. Yes.
Question. For whom did you vote?
Answer. For William E. Dodge?

Mr. ANTHON.

Question. Are you entitled to vote now?
Answer. Yes, sir.
Question. How long had you voted in that district?
Answer. That was the first time.
Question. How long had you resided in that district?
Answer. Pretty near two months.
Question. Where had you resided previously?
Answer. In the Nineteenth ward, 853 Third avenue.
Question. How long had you resided in the city of New York?
Answer. Pretty near sixteen years.
Question. Were you born here?
Answer. No, sir.
Question. When were you naturalized?
Answer. I couldn't tell you exactly to the day; to the best of my opinion it was about eight years ago.
Question. Do you remember where?
Answer. Yes, sir; in the city hall.
Question. In what court in the city hall?

Answer. I don't remember; all that I remember now is that I seen the naturalization office up there.

Question. Do you remember what judge?

Answer. No; I don't know.

Question. What time of the day did you vote?

Answer. To the best of my opinion it was about 9 o'clock.

Question. How did you happen to come here to-night?

Answer. I was notified to come here.

Question. Was that the first you heard of it?

Answer. No, sir; I was here last Tuesday night, and that was adjourned—or Monday, I am not sure.

Question. Why were you here then?

Answer. I was notified to attend here.

Question. How were you notified?

Answer. A verbal notice.

Question. By whom?

Answer. Mr. Burchell.

Question. For what purpose?

Answer. On this head of investigating this matter between Mr. Dodge and Mr. Brooks.

Question. Was that the first you had heard of your being wanted to come here?

Answer. That was the first time; yes, sir.

Question. Was that the whole of the conversation that passed between you?

Answer. We talked over it, saying that we heard this election was going to be contested between Mr. Dodge and Mr. Brooks.

Question. Was there anything more said?

Answer. There was nothing more that I remember—nothing else about the election.

Question. Or about your coming here?

Answer. I heard nothing else about my coming here.

Question. That was all that was said?

Answer. That was all that was said that I could remember.

Question. What is your business?

Answer. A ship-fastener.

Question. Are you a tenant of Mr. Burchell's?

Answer. I understand him to be the agent.

Question. Do you know who your landlord is?

Answer. I don't know, sir.

Question. Any agreement as to your expenses in coming here?

Answer. No, sir.

THOMAS NIXON.

Attest: JOHN R. BRADY, *J. C. P.*

Robert Roden sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 160 East Thirty-first street, on the north side of the street; there is a 160 on each side of the street.

Question. Did you vote in the third district of this ward on the 8th November?

Answer. I voted on the northeast corner of Thirty-first street and Second avenue—I believe it is the third district.

Question. For whom did you vote for Congress?
(Objected to.)
Answer. For Mr. William E. Dodge.

Mr. WATERBURY:

Question. How do you know that you voted for Mr. Dodge?
Answer. Because I read the name on the ticket before I gave it to the inspector; also because, when I received it from the box, I opened the tickets and examined each of them to see that the candidates' names were written on them.
Question. Into whose hands did you pass the ticket?
Answer. Into the hands of the inspector who stands at the box.
Question. Where were you born?
Answer. In Ireland, I believe.
Question. When?
Answer. Do you want me to say what I believe from others, or from my own knowledge? I can't give that on any personal knowledge. I can't swear that I was born in Ireland either.
Question. At what time was it reputed in your family that you were born there?
Answer. That I was born in 1842, I believe.
Question. When did you come to this country?
Answer. I don't know the year.
Question. About how long ago?
Answer. About ten or eleven years ago.
Question. Have you ever been naturalized?
Answer. Yes, sir.
Question. When?
Answer. Last year.
Question. Where?
Answer. In the court, I believe, of common pleas.
Question. What time in the morning did you vote?
Answer. About noon, I think it was; I will not swear definitely to the time.
Question. Did you vote a full set of tickets?
Answer. Yes, sir.
Question. Are you sure you didn't drop the congressional ticket; are you sure it didn't drop out of your hand?
Answer. Yes, sir; the inspector said that I voted the full ticket, and I saw the tickets placed into the boxes.
Question. How came you to come here to-night?
Answer. I was here last Monday night; I understood that the election of Mr. Brooks was contested. There was a notice left at my house.
Question. Who by?
Answer. I don't know; there was a notice left first, and afterwards Mr. Burchell came to tell me.
Question. What did he tell you he wanted you to swear to?
Answer. He didn't tell me to swear to anything.
Question. Did you vote the whole of the republican ticket?
Answer. I voted a full ticket for all the officers that were to be elected; I don't say whether they were republicans or democrats.
Question. Did you vote the whole Lincoln ticket?
Answer. I don't say I did; I voted for Mr. Lincoln as President.
Question. Did you vote the whole republican ticket?
Answer. If you asked me for separate officers I might tell you.
Question. Whom did you vote for for member of assembly?
Answer. I don't remember.
Question. How can you remember so much better who you voted for for Congress than for member of assembly?

Answer. Because I was acquainted with the name for years.

Question. What made you acquainted with the name for years?

Answer. Because I knew Mr. Dodge for years.

Question. Did you do any work previous about the election to secure Mr. Dodge's election?

Answer. Yes, sir; that is, all the work I did was this: to recommend him as a suitable candidate for election among my friends.

Question. Did you receive any money?

Answer. No, sir.

Question. No money whatever?

Answer. No, sir; nor anything else—neither promise of office nor anything else.

Question. Did you attend any meeting in regard to coming here to-night, or in regard to this election?

Answer. No, sir; I never spoke to any person about any evidence to be taken here. I didn't know what evidence was to be taken. I was never examined before as a witness, and I don't know anything about it. All I understood about it was that the election of Mr. Brooks was to be contested.

ROBERT RODEN.

Attest: JOHN R. BRADY, *J. C. P.*

Daniel S. Briant sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 212 East Thirty-second street; that is the new number.

Question. What was the old number?

Answer. 118.

Question. Did you vote the congressional ticket on the 8th of November last?

Answer. Yes, sir.

Question. For whom did you vote?

(Objected to.)

Answer. William E. Dodge and others.

Question. Have you seen your name on this book?

Answer. I have not, sir.

Mr. ANTHON:

Question. Where did you get your ticket to vote, Mr. Briant?

Answer. I think I got them of Mr. Cooper.

Question. What Mr. Cooper is that? Do you remember his first name?

Answer. Cooper & Brothers, corner of Third avenue and Thirty-third street.

Question. Did you open your ticket before you voted for member of Congress?

Answer. Yes, sir.

Question. Do you remember doing so?

Answer. Yes, sir.

Question. To whom did you give it at the polls?

Answer. I gave it to the gentleman standing there at the boxes; one stood in the centre and he took it, and I saw him distribute them.

Question. How long have you voted in that district?

Answer. For seven years. I have been in this neighborhood six or seven years.

DANIEL S. BRIANT.

Attest: JOHN R. BRADY, *J. C. P.*

Andrew McMullin sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. What is your name?
Answer. Andrew McMullin, I believe.
Question. Where do you live?
Answer. 441 Third avenue.
Question. Did you vote on the 8th of November in this third district?
Answer. Yes, sir.
Question. Did you vote the congressional ticket?
Answer. Yes, sir.
Question. For whom did you vote?
(Objected to.)
Answer. William E. Dodge. I believe that is the name.

Mr. ANTHON:

Question. Why do you say *you believe* your name is Andrew McMullin?
Answer. I believe that is the name my father gave me.
Question. Is that the name you have always gone by?
Answer. I believe so; I never heard anything else.
Question. You don't remember going by any other name than that?
Answer. No, sir.
Question. What is the third election district of the Twenty-first ward?
Answer. I don't know nothing about what it is.
Question. Why do you swear you voted in it?
Answer. I believe I voted at the corner of Thirty-first street and Second avenue.
Question. Where did you get the ticket you voted?
Answer. I got them in Second avenue.
Question. Did you read it?
Answer. Yes, sir.
Question. Are you a native of this country?
Answer. No, sir; I believe not.
Question. Where were you born?
Answer. I cannot tell you.
Question. Have you ever been naturalized in this country?
Answer. Yes, sir.
Question. When?
Answer. I think it is about from eight to ten years ago.
Question. Where was it?
Answer. In New Jersey.
Question. Where in New Jersey?
Answer. In Paterson.
Question. Do you remember before what court you were naturalized?
Answer. I don't remember what court.
Question. What is your business?
Answer. A machinist.
Question. I understand you to say that you voted for William E. Dodge, "you believed?"
Answer. I voted a ticket with William E. Dodge on it.
Question. Did you say you believed you voted for him, or that you voted for him?
Answer. That is what I said, I believe. As near as I can remember I said William E. Dodge.
Question. Where did you get the ticket you voted?
Answer. I got it in Second avenue.
Question. Where? What place in Second avenue?

Answer. I couldn't tell you exactly the place.

Question. Where did you read it?

Answer. I read it when I was on the way going in to the polls, or the house where the vote was taken.

Question. Did you tell me how long ago you were naturalized?

Answer. I think I said from eight to ten years ago. I would not be certain to two or three days without going and getting the papers.

Question. For whom do you work as a machinist?

Answer. Any one that employs me.

Question. For whom do you work now as a machinist?

Answer. I believe the gentleman's name is Mr. Eagleton.

Question. Are you sure of it?

Answer. That is the name that is represented on the building.

Question. For whom did you work at the time of the last election?

Answer. I worked for that gentleman, I believe.

Question. How did you happen to come here to-night?

Answer. A gentleman by the name of Taylor, I think, asked me to come here to-night.

Question. Did you know him before that time?

Answer. No, sir.

Question. Who had you conversed with? Had you heard anything about coming here previous to that time?

Answer. No, sir; not till Mr. Taylor asked me.

Question. Did you know Mr. Taylor before he asked you?

Answer. No, sir; I never seen him before, that I remember of.

Question. Did he serve any notice upon you asking you to come here?

Answer. Nothing further than asking me to come.

Question. Was that the only communication you have had about it?

Answer. That was the only communication I have had.

Question. What conversation did you have when he asked you to come?

Answer. I couldn't remember.

Question. Can't you remember any of it?

Answer. I have told you all I remember of it.

Question. Do you think you have known any more about it, or will know any more about it hereafter?

Answer. I don't know what I will do; it is a hard case to tell what I will do.

Question. Were you here on Monday night?

Answer. No, sir; I was never in this building before, that I remember of.

Question. Does any one pay your expenses for coming here to-night?

Answer. No, sir; nor I won't ask any one to.

Question. Did Mr. Taylor say anything about paying you to-night?

Answer. No, sir; if he had he would not have had me here.

ANDREW McMULLIN.

Attest: JOHN R. BRADY, *J. C. P.*

Moses M. Bradley sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. What is your residence?

Answer. 212 East Thirty-second street.

Question. Has it any other number, old or new?

Answer. The street was re-numbered a year or two ago; it was formerly 118.

Question. Where did you vote on the 8th of November?

Answer. On the corner of Thirty-first street and Second avenue.
Question. For whom did you vote for Congress?
(Objected to.)
Answer. Mr. William E. Dodge.

Mr. WATERBURY:

Question. What time of the day did you vote?
Answer. Very early in the morning.
Question. Do you remember from whom you received your ticket?
Answer. Mr. Briant.
Question. Did you look at it?
Answer. Yes, sir.
Question. You know it was for Mr. Dodge?
Answer. I am very sure.
Question. How long have you resided in this city?
Answer. Since 1841.

M. M. BRADLEY.

Attest: JOHN R. BRADY, *J. C. P.*

Joseph Roden sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. State your residence, old number and new.
Answer. 160 East Thirty-first street; that is the old number; there is no new number on it yet; on the north side.
Question. Where did you vote on the 8th of November?
Answer. In the third congressional district, corner of Thirty-first street and Second avenue.
Question. Did you vote for Congress?
Answer. I did.
Question. For whom?
(Objected to.)
Answer. William E. Dodge.

Mr. WATERBURY:

Question. From whom did you get your ticket?
Answer. From a box on the street, I believe. I had some tickets before, but I forget which I used.
Question. Did you examine the ticket?
Answer. Yes, sir.
Question. Whose name was on it?
Answer. William E. Dodge.
Question. You can state that positively?
Answer. I can, sir.
Question. Who did you hand the ticket to?
Answer. Into the hands of the inspector.
Question. Are you sure that you put it into his hands?
Answer. I am, sir.
Question. What time of day did you vote?
Answer. As near as I can recollect, about 11 o'clock.
Question. Are you a native of this country?
Answer. No, sir.
Question. How long have you been here?
Answer. I have been here since the 23d of September, '52.
Question. When were you naturalized?

Answer. Nearly five years ago.
Question. In what court?
Answer. In the court of common pleas.
Question. Lived in the city all the while since you have been here?
Answer. I have.
Question. How came you to be here to-night?
Answer. Because I was here on Monday night.
Question. What brought you here on Monday night?
Answer. I have been watching for this to be contested for some time, and I understood there was a meeting to be held, and I came here.
Question. Did you attend any meetings in regard to it?
Answer. No, sir.
Question. Did you work actively during the election?
Answer. Yes, sir; I have worked for Mr. Dodge every day for some years, and I suppose I can work a day or two for him for nothing.
Question. Do you know of any money being spent?
Answer. I might have heard of it, but I saw none.
Question. What is your business?
Answer. I am a carman now. I was a porter at the time of the election.
Question. A carman for Mr. Dodge?
Answer. No, sir.
Question. You were a porter for Mr. Dodge at the time of the election?
Answer. Yes, sir.

JOSEPH RODEN.

Attest: JOHN R. BRADY, *J. C. P.*

David N. Cipperly sworn. (Objected to. See page 10.)
Counsel for Mr. Brooks object that the witness's name is incorrectly placed on the list of witnesses, viz: D. W. Cipperly.

Mr. PHELPS:

Question. What is your residence?
Answer. 565 Second avenue.
Question. Any other number to it?
Answer. There was an old number; that is the present number.
Question. Do you remember the old number?
Answer. 501 the old number was.
Question. When was that?
Answer. Well, the numbers are all along on the buildings now. 501 I have had a boy scratch off a few weeks ago, and change it to the right number.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did.
Question. Where?
Answer. On the corner of Thirty-first street and Second avenue.
Question. For whom?
(Objected to.)
Answer. William E. Dodge.

Mr. ANTHON:

Question. Were you a member of any of the political organizations at the last election?
Answer. I don't know that I was on any committee.
Question. How long have you lived in your present residence?

Answer. Since the first of May last; but I lived in this district about two years and a half. I lived at 149 East Thirty-first street before I moved down here.

Question. Were you summoned to attend here to-night?

Answer. No, sir; no further than a verbal request.

Question. From whom?

Answer. From Mr. Burchell, I believe his name is; but I called here on Monday evening a little too late.

Question. How long have you known Mr. Burchell?

Answer. I don't think I have known him more than a week or two. I don't remember having any acquaintance with him.

Question. Tell us how he happened to ask you?

Answer. He told me there was an examination of the congressional votes, and he wanted those that voted for Mr. Dodge to come along.

Question. Did you take any active part in the last election?

Answer. Nothing more than to vote.

D. N. CIPPERLY.

Attest: JOHN R. BRADY, *J. C. P.*

John Livingston sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Your residence, Mr. Livingston, old and new.

Answer. 150 East Thirty-first street; I don't think there is any old number.

Question. Did you vote for member of Congress at the last election?

Answer. Yes, sir.

Question. Where?

Answer. Corner of Thirty-first street and Second avenue.

Question. For whom?

Answer. William E. Dodge.

Mr. ANTHON:

Question. How long had you been a voter in that district?

Answer. About a year and a half, I believe.

Question. Had you voted at that poll before?

Answer. Yes, sir; once before.

Question. Are you a native of this country?

Answer. No, sir.

Question. When were you naturalized?

Answer. In '59 or '60; I ain't sure which.

Question. Do you remember where?

Answer. I don't remember what judge; I remember the clerk that signed the papers.

Question. Who is he?

Answer. Livingston. His name is like my own; I suppose that is the reason I remember it.

Question. Where did you get your ticket from?

Answer. I got it from the headquarters, Twenty-first ward.

Question. Did you read the ticket?

Answer. Yes, sir; I believe I read some of them; I don't know whether I read the one I deposited or not.

Question. Did you take an active part in politics that year?

Answer. Yes, I did, kind o'.

JOHN LIVINGSTON.

Attest: JOHN R. BRADY, *J. C. P.*

Robert Reid sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. What is your residence?
Answer. 164 East Thirty-first street.
Question. What was the old number?
Answer. I don't know, sir; I never saw any number only one.
Question. Did you vote for member of Congress?
Answer. I did.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom?
(Objected to.)
Answer. William E. Dodge.

Mr. WATERBURY:

Question. Where did you get your ticket?
Answer. In Twenty-eighth street.
Question. What box?
Answer. In the election box there.
Question. Is that in the third district?
Answer. No, sir.
Question. Why did you go into a different district to get your ticket?
Answer. Because I was coming from work.
Question. What time of day did you vote?
Answer. Between two and three o'clock.
Question. Did you read the ticket?
Answer. I did.
Question. Did you vote a full republican ticket?
Answer. I believe I did.
Question. Did you read the tickets all the way through?
Answer. I read them all the way through; I don't know whether they were republican or democrat; they were called republican.
Question. Who did you vote for for assembly?
Answer. I don't recollect.
Question. Who did you vote for for sheriff?
Answer. For Farmer.
Question. For county clerk?
Answer. I can't say.
Question. For district attorney?
Answer. I don't recollect.
Question. Why can you recollect who you voted for for Congress better than the other officers?
Answer. Because I am more familiar with the name; that name, Farmer, and Lincoln, I remember.
Question. Supposing that the ticket you received from the box had on it the name of Richard Dodge, instead of William E. Dodge; wouldn't you have voted it just the same?
Answer. No; I don't believe I would.
Question. What did you do with your tickets?
Answer. There were three men standing up there, and there was a man standing at the side, and I gave it to him; I suppose he was an inspector.
Question. Had you taken an active part in the election?
Answer. No, sir; nothing more than a vote.
Question. Anybody come after you to induce you to vote?
Answer. No, sir.

Question. You went to the polls of your own accord?
Answer. Yes, sir.
Question. Where were you born?
Answer. In Ireland.
Question. How long have you been in this country?
Answer. About sixteen years.
Question. When were you naturalized?
Answer. I took out my first papers about six years ago; my last papers about three weeks before the election.
Question. In what court?
Answer. The court of common pleas, I believe; city hall.
Question. How long have you resided in this city?
Answer. About fifteen years in the city of New York.

ROBERT REID.

Attest: JOHN R. BRADY, *J. C. P.*

John Hallahan sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Residence, Mr. Hallahan?
Answer. 551 Second avenue; 487 old number.
Question. Did you vote the congressional ticket at the last election?
Answer. Yes, sir.
Question. At what place?
Answer. Northeast corner of Thirty-first street and Second avenue.
Question. For whom did you vote?
(Objected to.)
Answer. William E. Dodge.

Mr. WATERBURY:

Question. Where were you born?
Answer. In Ireland.
Question. How long have you been in this country?
Answer. About eleven years.
Question. When were you naturalized?
Answer. About nine years ago.
Question. And you have been in this country eleven years?
Answer. It is about six or seven, I think; I mean taking out the first paper.
Question. When did you take out your last paper?
Answer. About five years ago.
Question. What made you say, first, nine years?
Answer. It was the first paper I meant; I made a mistake.
Question. How long a time intervened between your taking out your first and your last paper?
Answer. About three or four years, I should say.
Question. Who was the witness for you when you were naturalized?
Answer. A cousin of mine.
Question. In what court?
Answer. The court of common pleas.
Question. What judge?
Answer. I couldn't tell.
Question. Have you resided in this city ever since you have been in this country?
Answer. Yes, sir.

Question. How do you know you voted for Mr. Dodge?
Answer. My eyesight told me. I read the name on the ticket.
Question. Did you look at the ticket?
Answer. I did, sir.
Question. Where did you get it?
Answer. I got it out of a box.
Question. What did you do with it?
Answer. Gave it to the man in the place—the inspector behind.
Question. Are you sure you didn't let it drop?
Answer. Yes, sir; I am not sure whether he did or not; he might substitute another one, for all I know. But I saw one in each of the boxes after.
Question. Did you take an active part in the election?
Answer. No.
Question. Did you do anything more than vote?
Answer. No, sir.
Question. Who did you vote for for sheriff?
Answer. I couldn't tell you.
Question. How is it that you can recollect so much better who you voted for for Congress than for any other office?
Answer. I took the republican ticket; what I knew was for the republican party, and I voted for it as such.
Question. Is that the only knowledge you have?
Answer. That is the only knowledge. I know I voted for two—that is, the president and William E. Dodge.
Question. Is there anything besides the fact that you voted the full republican ticket from which you know that you voted for William E. Dodge?
Answer. Yes; by voting for President Lincoln.
Question. Is there any fact besides your voting the full republican ticket which includes Lincoln, that makes you believe you voted for Dodge?
Answer. No, except that I got them out of a republican box.
Question. Do you know who the candidate for Congress was?
Answer. I do.
Question. How do you know?
Answer. By reading it in the papers, and seeing different tickets.
Question. Did you read that there was another republican candidate for member of Congress?
Answer. Not that I recollect.
Question. Did you hear that Mr. Manierre was a candidate at the time?
Answer. I believe I have heard the name, but I can't exactly tell whether he run or not.
Question. Have you a distinct, positive recollection of reading the congressional ticket; of pulling it out and reading it?
Answer. Yes, sir.
Question. Aside from the fact that you believe you voted the republican ticket, have you any means of knowing that the name of Willam E. Dodge was on the ticket you voted?
Answer. I have; there is not the least doubt in my mind.

JOHN HALLAHAN.

Attest: JOHN R. BRADY, *J. C. P.*

Thomas McKey sworn. (Objected to. See page 10.)

Mr. PHELPS.

Question. Where do you live?
Answer. 150 East Thirty-first street.

Question. Has it any other number?
Answer. Not that I know of.
Question. Did you vote for member of Congress at the last election?
Answer. I believe I did.
Question. Where?
Answer. On the corner of Thirty-first street and Second avenue.
Question. From a republican box?
Answer. Yes, sir.
Question. Do you know the man's name?
Answer. His name is Frank McGuire.
Question. Do you believe that you voted for Mr. Dodge?
Answer. I sent my boy for the tickets to the box, and I voted the full ticket. I was doing something in the house at the time, and I sent the boy.
Question. Did you intend to vote the whole republican ticket?
(Objected to.)

his
THOMAS + McKEY.
mark.

Attest: JNO. R. BRADY, *J. C. P.*

Lawrence Corbett sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live, Mr. Corbett?
Answer. I live 156 East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November?
Answer. I have, sir.
Question. Where did you vote?
Answer. On the northeast corner of Thirty-first street and Second avenue.
Question. For whom?
Answer. Mr. William E. Dodge.

Mr. ANTHON:

Question. Where did you get your tickets from?
Answer. Out of the box.
Question. Did you read them?
Answer. I read part of them.
Question. What part did you read?
Answer. I read President Lincoln and Mr. William E. Dodge.
Question. Did you read the name of President Lincoln on any of the tickets?
Answer. I read Mr. William E. Dodge.
Question. What else did you read? What did you read on the ticket for President?
Answer. I read Abraham Lincoln, to the best of my recollection.
Question. Was there anything else on that ticket?
Answer. There were a good many more things that I don't recollect.
Question. On that same ticket?
Answer. I think there was Vice President on it.
Question. What else was there on it?
Answer. I don't recollect.
Question. You are only sure that there was Abraham Lincoln and Vice President? What name was there for Vice President?
Answer. I don't know; I didn't take any notice—unless Johnson.

Question. Can't you remember anything else that was on the ticket?
Answer. No, sir.
Question. What was there besides William E. Dodge on the ticket that you saw?
Answer. Member for Congress.
Question. Anything else?
Answer. I don't remember that I seen anything else on it.
Question. Those were the only two that you read?
Answer. I may have read the others, but I don't remember.
Question. How do you happen to remember that you saw Mr. Dodge's name?
Answer. I remember looking to see whether I had Mr. Dodge's ticket or not.
Question. Why did you do that?
Answer. Because I heard from parties that he was an honest man.
Question. Did you get your tickets yourself?
Answer. I got them out of a box.
Question. Have you heard of anything—any money—being paid for Mr. Dodge's election?
Answer. I never heard of it, sir.
Question. Were you a member of any of the committees in that ward?
Answer. No, sir.
Question. How did you happen to come here to night?
Answer. I heard that there was a contested election between Mr. Brooks and Mr. Dodge.
Question. Who told you that?
Answer. I believe it was Mr. Nixon.
Question. Did Mr. Nixon ask you to come here?
Answer. No.
Question. Did any one ask you to come here?
Answer. No, sir.
Question. Was any notice served on you to come here?
Answer. I don't remember.
Question. What did Mr. Nixon tell you?
Answer. He said there was going to be a contested election.
Question. Nothing more than that?
Answer. That was all.
Question. How did you find out how to come?
Answer. I saw Mr. Nixon on Monday night.
Question. Did you come up with him?
Answer. I believe I did.
Question. Are you not sure whether you came with him or not?
Answer. I seen one or two more with him.
Question. Did you come with him?
Answer. He might be a little before or after me.
Question. Do you know whether you did or not?
Answer. I know I came here the other night when the meeting was adjourned, sir.
Question. Who did you come with?
Answer. Mr. Scott and two or three more.
Question. Who told you where the place was?
Answer. I saw Mr. Scott coming here.
Question. Did you speak to him about the election?
Answer. No, sir.
Question. How did you know that he was coming to see about the contested election.
Answer. I heard Mr. Nixon saying he was; he lives next door to me.
Question. Did you come up with Mr. Scott?

Answer. Yes; I am sure of that.
Question. Did you talk to him on the way up?
Answer. Yes; I believe I did.
Question. Was Mr. Nixon with you?
Answer. I don't recollect.
Question. Did Scott tell you where to come?
Answer. He didn't tell me where to come; he was coming himself.
Question. That is all the conversation you ever had about this thing to-night?
Answer. That is all I recollect, sir.
Question. Did Mr. Nixon ask you who you voted for?
Answer. No, sir.
Question. No one asked you who you voted for?
Answer. There were some parties; I believe Mr. Burchell asked me.
Question. When was that?
Answer. Some three or four weeks ago.
Question. Is Mr. Burchell the agent for your house?
Answer. Yes, sir.
Question. Who is your landlord?
Answer. I don't know, sir.
Question. Are you a naturalized citizen, or native-born?
Answer. I am naturalized, sir.
Question. Where were you naturalized?
Answer. In the city hall.
Question. When?
Answer. Before Father Abraham was elected, sir.
Question. Before President Lincolon was elected?
Answer. Yes, sir.
Question. There was no connexion between those two events, was there? You don't suppose he was elected because you were naturalized?
Answer. It helped, sir.

Mr. PHELPS:

Question. Had you heard of Mr. Dodge previous to election day?
Answer. I did, sir.
Question. Had you heard of any others on the ticket?
Answer. I think Van Buren was on it; I don't know. I saw Mr. Dodge on it.
Question. Before election day had you heard of any of the candidates except Mr. Lincoln and Mr. Dodge?
Answer. I seen Mr. Brooks's name on the paper.

Mr. ANTHON:

Question. Do you mean to say you voted for Mr. Brooks?
Answer. That is altogether against my principle, sir. I think I saw the name in the Herald.
Question. Did you hear the same thing said about Mr. Lincoln that was said about Mr. Dodge?
Answer. It is some time ago now. I don't remember.

Mr. PHELPS:

Question. You say you saw the name of Mr. Lincoln on the ticket. Do you mean to say that you read it on the electoral ticket?
Answer. I will not say that I meant to vote for Mr. Lincoln. What I wanted to vote for was Mr. William E. Dodge. I saw the name for President on it. I think the ticket is in my house still.
Question. Now, I want to know if you swear that you read on the electoral ticket the name of Abraham Lincoln?

Answer. I can't swear, sir.

Question. Can you swear that you read on the ticket for member of Congress the name of William E. Dodge?

Answer. I can, sir.

Question. What did you mean by saying to the opposite counsel in his examination that you read the name of Abraham Lincoln on the electoral ticket?

Answer. I meant to say that President Lincoln was going to be elected again. That he was going to run for re-election, and I wanted to vote for him.

Question. You are not willing to swear that you read the name of Abraham Lincoln on the ticket?

Answer. I mean to swear that I got the whole republican ticket from the box, and I voted the whole. The man at the box told me that I had voted the whole.

Mr. ANTHON:

Question. Was that place that you got the ticket from a Union or a republican box?

Answer. It was a Union box.

Question. They say there is no republican party now, you know.

Answer. Well, it is a Union box. I saw those big placards, Mr. William E. Dodge, &c., on it.

LAWRENCE CORBETT.

Attest: JOHN R. BRADY, *J. C. P.*

John H. Sherwood sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside, Mr. Sherwood?

Answer. 12 East Fortieth street.

Question. Are you president of the Citizens' Association?

Answer. I am, sir. Have been for the last two years, including this year.

Question. Does your position of necessity make you well acquainted with the politics of the city?

Answer. It ought to, sir.

Question. Did you take any interest in the last congressional election?

Answer. Yes, sir.

Question. Who were the candidates?

Answer. There were three candidates: Mr. William E. Dodge, Mr. Barr, and Mr. Brooks.

Question. What were the politics of the candidates?

Answer. Mr. Dodge was on the Union republican ticket; Mr. Barr was the democratic candidate; and Mr. Brooks, I suppose, was—well, I don't know what Mr. Brooks claimed to be. It is a pretty hard matter to tell. He was a candidate for election.

Question. Who was considered peculiarly the democratic nominee?

Answer. Mr. Barr, I understood.

Question. Had he what is more generally known as the regular nomination of the democratic party?

Answer. He had, sir.

Question. Do you believe that a single republican voted for Mr. Barr? (Objected to.)

Answer. No sir; I don't.

Mr. WATERBURY:

Question. You say that Mr. Barr was the democratic candidate. How do you know that fact?

Answer. Because he got the nomination of Tammany Hall.

Question. How do you know he received the nomination of Tammany Hall?

Answer. I heard it so stated; perhaps a dozen times.

Question. Do you know it any other way than by hearsay?

Answer. No, sir; except that I read it in the newspapers.

Question. Didn't you know that Mr. Barr recently held an office under this administration?

Answer. I have understood so; still I don't know it.

Question. Don't you think it would be probable that the fact of his holding an office under Mr. Lincoln would be apt to induce some other republican to vote for him?

Answer. Not as long as the republicans had such a gentleman as William E. Dodge to vote for.

Question. Is Mr. Barr a man who don't make any friends?

Answer. I presume he has got friends, sir.

Question. Associating with republican office-holders, wouldn't that give him an opportunity to make friends?

Answer. I presume it would.

Question. How do you believe that not one of them voted for him?

Answer. Because I don't believe that any republican would vote for Mr. Barr, as I said before, when such a gentleman as Mr. Dodge was in nomination.

Question. Do you believe that every republican voter in the district knew Mr. Dodge?

Answer. No; I don't believe every republican in the district did know Mr. Dodge.

Question. If a republican didn't know him, and did know Mr. Barr, why may not Mr. Barr have secured the vote of that republican?

Answer. Because I think Mr. Dodge's reputation is such that persons not acquainted with him knew him by reputation, and would vote for him.

Question. Do you believe every one knew him by reputation?

Answer. Yes, sir; any man who reads the papers knows him.

Question. Does it follow that a man must know Mr. Dodge by reading the papers?

Answer. Yes, sir; by reputation, I believe that every republican who votes knows him.

Question. Do you believe every republican in the district can read the newspapers?

Answer. Well, that is merely a matter of opinion. I should say that I think every republican in the district can read the newspapers. We have seen every gentleman here to-night sign his name. A man that can sign his name can read the papers.

Question. Don't you suppose there are any others coming here to testify?

Answer. That is more than I can say.

Question. Do you believe every republican in the district can write his name?

Answer. No, I don't think they can. Still, it is a possible thing that it may be so.

Question. Do you know how many nominations Mr. Brooks had?

Answer. No; I don't know.

Question. Don't you know that he had the McKeon democratic nomination?

Answer. I think he did; yes sir.

Question. Don't you know that he had the nomination of the Tammany Hall convention that met at the corner of Forty-seventh street.

Answer. No; I never heard of it.

Question. Do you read the papers?

Answer. Occasionally.

Question. Why would it be more probable that persons should know Mr. Dodge by reading the newspapers than that you should know of this convention when you read the newspapers?

Answer. I don't understand the question.

(Question repeated.)

Answer. I believe Mr. Dodge has been known here for years. I think there is no man in the Twenty-first ward that has the extensive acquaintance that Mr. Dodge has.

(Question repeated.)

Answer. Perhaps I didn't see that.

Question. What meetings did you attend previous to the election in regard to the congressional election?

Answer. Well, I attended perhaps twenty or thirty.

Question. Did you attend any meetings at Mr. Cannon's house?

Answer. Yes, sir.

Question. Was the subject of money to be expended in the election talked over there?

Answer. Yes, sir.

Question. Who was present at that meeting?

Answer. Mr. William E. Dodge was present; Mr. Cannon was present; I think that Postmaster Kelly was present; I was present myself, and I think Mr. Phelps was present.

Adjourned to Saturday, February 25, 10½ o'clock a. m.

SATURDAY, *February* 25, 1865.

John H. Sherwood, recalled.

Mr. WATERBURY:

Question. How many meetings in relation to the late congressional election did you attend at the house of Mr. Cannon?

Answer. I recollect of but two.

Question. What other meetings did you attend in relation to that election?

Answer. Well, I don't recollect any in that particular congressional election. I was attending others frequently in relation to the general election.

Question. What other meetings did you attend within this congressional district?

Answer. For what purpose, sir?

Question. Well, I will add to that question; what other meetings did you attend within this congressional district, at which the subject of the last congressional election in this district was talked over or acted upon?

Answer. I can't tell you, sir.

Question. You said about twenty the last time. I mean those at which the subject of the congressional ticket was talked over or acted upon.

Answer. I can't tell you the particular purpose and design.

Question. Specify as many as you can.

Answer. Perhaps a dozen.

Question. Will you state where they were?

Answer. That is impossible. I can't bring my recollection to specify them.

Question. Can't you recollect one of them?

Answer. Yes; I can recollect attending one meeting at the corner of Thirty-second street and Broadway. One moment; it is Thirty-third street, near Broadway. I think it was Ebbitt Hall.

Question. Can't you recollect any other?

Answer. I recollect of no other, excepting meetings for general business; the general business connected with the general election.

Question. Who, beside yourself, were present at the first meeting held at Mr. Cannon's?

Answer. I recollect, I think, Mr. Phelps.

Question. W. W. Phelps?

Answer. Yes, Mr. Phelps here, Mr. Dodge and Mr. Kelley. I think they were there.

Question. Postmaster Kelley?

Answer. Postmaster Kelley. That is my impression; I would not be sure they were there. It is impossible for me to remember distinctly.

Question. Who, beside yourself, were present at the second meeting held at Mr. Cannon's house?

Answer. That I can't say. It may have been the second meeting at which I met those gentlemen. I don't undertake to swear that they were there; it is my impression.

Question. Did you see Mr. Mayor Opdyke at either of those meetings?

Answer. No, sir.

Question. Did you see Mr. Elliott C. Cowdin at either of those meetings?

Answer. I don't recollect, sir.

Question. Did you see Supervisor Stewart at either of those meetings?

Answer. That I don't recollect distinctly.

Question. Did you see Mr. Daniel W. James at either of those meetings?

Answer. I would not swear that I met him there. I met him last fall, but I would not swear at either one of those.

Question. At what meeting do you think you met Mr. James?

Answer. I couldn't specify the place, sir. My impression is that I met him at some conference last fall; it would be impossible for me to name the place.

Question. Did you meet Mr. Thomas Murphy at either of those meetings?

Answer. Well, I should give the same answer to that that I gave in relation to Mr. James—that I met him last fall in conference at some place, but I couldn't specify the place.

Question. Did you meet Alderman Ottiwell at either of those meetings?

Answer. I think not, sir; I don't recollect meeting him there.

Question. Did you meet Mr. Cummings H. Tucker at either of those meetings?

Answer. Yes, sir; at one of those meetings I think I met Mr. Tucker.

Question. Did you meet Mr. James M. Thompson at either of those meetings?

Answer. I don't recollect it, sir. No, sir, I think not.

Question. Did you meet Mr. William P. Estabrooks at either of those meetings?

Answer. I think I did, sir. One moment; I won't swear that I did meet Mr. Estabrooks. I was in conferences two or three times last fall, but can't bring my recollection now so clear as to that.

Question. Did you meet Mr. Thomas P. Aston at either of those meetings?

Answer. I don't recollect meeting him there; still, I met him last fall.

Question. Did you meet Mr. John V. Gridley?

Answer. I think not, sir; I don't recollect of it.

Question. Mr. Sherwood, what was said at that meeting—at the first meeting that you attended—in reference to the expenditures for the congressional election in this district?

Answer. The subject was discussed there, sir.

Question. What was said, sir?

Answer. That I could not recollect; it would be impossible.

Question. Can't you recollect anything that was said?

Answer. I recollect the subject was brought up and discussed; the words and language used I wouldn't undertake to give.

Question. Can't you recollect the substance of anything, whatever, that was said there upon that subject?

Answer. The substance would be probably that we should have to raise some money to bear the general expenses of the election.

Question. Can you recollect any amount that was named there?

Answer. No, sir.

Question. Have you no recollection or impression whatever as to any amount that was named there?

Answer. I have no recollection as to any particular amount that was named.

Question. Have you any impression?

Answer. No, sir. I have not.

Question. Do you recollect any purpose, whatever, that was said to be necessary to have money for?

Answer. The general objects. I don't recollect any one particular object. I suppose, advertising, printing, bill-posting, &c.

Question. Was any amount named in connexion with any particular ward or district?

Answer. I don't recollect, sir.

Question. Was the subject of Mr. Barr's being a candidate for Congress mentioned at that meeting—either of them?

Answer. I think it was.

Question. What was said upon that subject?

Answer. The general conversation that would naturally occur in regard to the two candidates in the field; the words I cannot give.

Question. All the answers that you have given to questions that I have put to you in reference to the subject of money, or the expenditures for that election, apply equally to the two meetings at Mr. Cannon's house?

Answer. They do. I give them with that understanding.

Question. Was it stated at either of those meetings that any assistance of any kind would have to be extended to Mr. Barr or to any one in his behalf, to enable him to continue a candidate, or for any other purpose in reference to the election, or anything of that kind, whatever?

Answer. I don't remember that it was, sir.

Question. Have you stated all that you can remember in reference to anything and everything that was said at either of those meetings?

Answer. At this time, I have—all that I recollect. I have answered your questions as I remember them, sir.

Question. Have you said all that is possible for you to say in giving your mind to the subject, and endeavoring to recollect for two or three minutes?

Answer. That is a question I probably couldn't answer. I, perhaps, might recollect to-morrow, or next day, things I don't remember to-day.

Question. The object of my question is this: I wish to know if you are willing to say that you have stated all that you can recollect by giving your mind to the subject and endeavoring to recollect, at the present moment?

Answer. No; I wouldn't say that. I have stated all that I can recollect at this present.

Question. Please say, then, all that you can recollect by giving your mind to the subject now, and endeavoring to recollect.

Answer. You ask me questions and I will answer them.

Question. I ask you that question.

Answer. There are a great many things in regard to matters that would not

be pertinent to the case here. I shouldn't know what you want to get at unless you asked me questions.

Question. I want you to state particularly in reference to what was said at either of those meetings relative to the expenditure of money.

Answer. I had given you the general conversation; I don't recollect anything else. Unless you should put some leading question to draw my mind to it I should not be able to tell you any more.

Question. Who were the persons to whom moneys were to be paid that were raised for the purpose of disbursement?

Answer. That I don't recollect.

Question. By whom were the funds of the Union party in this congressional district, expended at the last congressional election, disbursed?

Answer. From my own knowledge I can't say, sir.

Question. By whom; can you say otherwise than by your own knowledge?

Answer. It would be an impression, sir; if you wish that, I can give it to you.

Question. Well, give me your impression.

Answer. My impression is that Mr. Cannon disbursed some.

Question. By whom were the disbursements made in the Eighteenth ward?

Answer. That I can't say.

Question. By whom were the disbursements made in the Twentieth ward?

Answer. That I cannot say.

Question. By whom were the disbursements made in the Twenty-first ward?

Answer. I can't say, beyond myself: I made some disbursements.

Question. Was any money contributed, subscribed, promised, or paid at either of the meetings at Mr. Cannon's?

Answer. I think there was, sir, some subscribed; I don't recollect any being paid.

Question. By whom was money subscribed at that meeting?

Answer. That I can't tell. I don't recollect the names. Money was subscribed by some of the gentlemen present.

Question. Can you recollect any amount that was subscribed by any person?

Answer. No; I couldn't name any amount that was subscribed by any particular gentleman.

Question. Are you able to state the substance or anything else in relation to anything that was said at either of those meetings in respect to Mr. Barr's or not being a candidate for Congress?

Answer. The subject was discussed there—Mr. Barr's nomination—the probability of his receiving a certain number of votes: a general conversation in regard to the candidates in the field. I can't state any particular words; the language I can't recollect. There was a general discussion.

Question. Was there anything said in relation to the possibility of his ceasing to be a candidate for Congress?

Answer. I don't recollect that there was, sir.

Question. Was anything said as to whether or not it was desirable for Mr. Dodge or for the Union party or cause that he should or should not be a candidate?

Answer. No; I think that was a matter that we had not in consideration. It was understood that he had his nomination, and was one of the candidates. In regard to his ceasing to be a candidate, I don't recollect exactly.

(Question repeated.)

Answer. Well, he was a candidate. The subject-matter was settled. The relative strength of the two candidates was discussed there.

Question. What was said upon that subject?

Answer. The exact language used I couldn't give entirely, but the subject of the strength of the two candidates was discussed. I recollect that it was

considered there that Mr. Barr was the strongest candidate of the two—Mr. Brooks and Mr. Barr—by some of the gentlemen present.

Question. Who considered that?

Answer. I can't tell you, sir: some of the gentlemen present. Others gave the opinion that Mr. Brooks might poll the greatest number of votes.

Question. Did you express any opinion upon that point?

Answer. No; I don't think I did. I never have been a leading politician—but a very few years that I have mixed in politics at all; it has been more in the taxpayers' or Citizens' Association, or something of that kind.

Question. You didn't express any opinion, I understand?

Answer. I don't think I did as to the relative strength of the two candidates; there were other gentlemen that discussed that subject.

Question. Was anything said by any person at that meeting which indicated that it was possible that Mr. Barr might withdraw, or decline, or cease to be a candidate?

Answer. Not to my recollection, sir. There were gentlemen who understood that matter much better than myself.

Question. Was anything said by any person at that meeting in reference to the use of any money whatever to assist Mr. Barr, or to aid his being a candidate in any manner whatever?

Answer. Not to my recollection.

Question. What part did you take in the last congressional election? I don't mean who you supported, but I mean what you did in reference to the election.

Answer. Well, Mr. Waterbury, I made myself busy for a month or two. I couldn't tell you all I did.

Question. Well, state generally; I don't expect you to go into all the details.

Answer. It would be an impossible thing for me to state what part I took.

Question. Can't you say anything that you did?

Answer. I attended some meetings, and voted, and attended the polls, and distributed tickets.

Question. Had you anything to do with the citizens' organization in any other ward than the Twenty-first?

Answer. No, sir; the Twenty-first ward is a distinct association from the one down in Broadway, although we have been invited, and have attended their meetings; but we never contributed to their general fund, or received anything from them at all. Our organization was earlier than that. It is the oldest one in the city.

Question. Did the organization with which you are connected in the Twenty-first ward—the Citizens' Association—have any candidates or run any boxes at the last congressional election for any offices whatever?

Answer. No, sir.

Question. At the last November election did they?

Answer. No, sir; at the December election we did.

Question. You didn't run any boxes for anybody?

Answer. No, sir.

Question. Did you have any candidate for member of assembly?

Answer. No; we made no indorsement for any nomination.

Question. Did you indorse any person for any office whatever at the November election?

Answer. I think not, sir. I am speaking of the Twenty-first ward; what they did down on Broadway I don't recollect.

Question. What part did you take in the congressional election on the day of election?

Answer. I attended the polls.

Question. What district?

Answer. In the thirteenth district, corner of Thirty-eighth street.

Question. Did you have charge of that district?

Answer. I don't think I did; still, I cannot be certain. I know I was there early in the morning, and staid there most of the day. Whether that particular district was given in charge to me I have forgotten. At the December election it was; I can't say distinctly in regard to the other; I don't think it was. I think there were others that came there and run the boxes.

Question. Do you know that any soldiers' votes were polled in that district that day?

Answer. I don't know. General Duryea came there in the morning with a parcel of votes. Do you wish me to give the particulars?

Question. As near as you can recollect.

Answer. He came there with a parcel of votes to vote, and still I was not present; this was what was told me afterwards.

Question. What was told you in regard to it?

Answer. I was told that he came there with some votes, and wouldn't swear that they ever resided in that ward; and they wouldn't allow him to put the votes in, and he made a fuss about it, and said that it was unjust; he thought he had a right to use the votes. Still, he wouldn't swear that they were residents of that ward.

Question. Who were the inspectors of that district?

Answer. Mr. Kendall was one; the other I don't recollect; they were strangers to me.

Question. What Kendall?

Answer. Josiah F. Kendall, I think it is.

Question. How many of the inspectors were supporters of Mr. Dodge?

Answer. I can't tell you that, sir; I don't know that any of them were. I presume that Mr. Kendall was a supporter of his.

Question. Who else brought any soldiers' votes there on that day?

Answer. I don't know that I seen any others.

Question. Don't you recollect any other soldiers' votes being polled there at any time during the day?

Answer. No. I think there was one or two gentlemen came in and delivered a package said to be soldiers' votes. I was outside of the building most of the time.

Question. At the meeting you attended at Thirty-third street, near Broadway, was that a private or a public meeting?

Answer. A public meeting.

Question. Was it what is called a ratification meeting?

Answer. It may have been called that; it was a public meeting.

Question. How many persons were present there?

Answer. Well, perhaps two or three hundred persons. The room was comfortably filled.

Question. Are the two meetings which you attended at Mr. Cannon's house the only meetings that you attended within the limits of this congressional district within the month next previous to the last November election which might be called a conference, or a meeting of business?

Answer. The Citizens' Association, I think, met once a week.

Question. I mean other than the Citizens' Association?

Answer. As a conference; I don't recollect any other now.

Question. Did you attend any meeting in reference to Mr. Manierre's ceasing to be a candidate, or in relation to any conference or arrangement between Mr. Manierre and Mr. Dodge?

Answer. I never attended any meeting, but the subject was talked about among my friends.

Question. Did you attend any conference or consultation upon that subject?

Answer. Upon that one subject?

Question. That one subject.

Answer. Well, that subject was talked about for a week or two. My attending a conference for that purpose, I don't recollect now; it was talked about in a great number of places.

Question. Can you recollect any one place at which it was talked about?

Answer. No, I cannot. I probably talked about it in twenty places. I met gentlemen, and the matter was being discussed by the friends of Mr. Dodge as well as the friends of Mr. Manierre. I was a delegate to the nominating convention that nominated Mr. Dodge. The subject was discussed there. That delegation had a number of meetings, several, where the subject was discussed; other than that I don't recollect.

Question. Did you attend any other meeting or conference or consultation whatever, other than the two at Mr. Cannon's house, at which anything was said or proposed in relation to Mr. Barr as a candidate for Congress, or in relation to his being or not being a candidate for Congress?

Answer. I cannot call to mind any other meeting that I attended with that particular object in view.

Question. Did you at any time when you were present, and the subject of Mr. Manierre being or not being a candidate was spoken of, hear anything said in relation to any soldiers' votes that Mr. Manierre had, or in which Mr. Manierre's name was probably inserted as a candidate for Congress?

Answer. Well, you have asked me a dozen questions here; some of them I could answer, and some of them I could not.

Question. Please answer those that you can.

Answer. Well, ask me one at a time, and I will try to answer it.

Question. At any time that you heard Mr. Manierre's name mentioned in connexion with the congressional election, did you hear anything said in reference to soldiers' votes?

Answer. Yes, sir.

Question. What?

Answer. Well, I understood Mr. Manierre had sent the papers forward to the Potomac, and, I think, to New Orleans, to get the soldiers' votes.

Question. Did you hear it stated at any time that he had a large number of soldiers' votes?

Answer. No; I heard it said that he had taken steps to procure the soldiers' votes.

Question. Did you hear it stated at any time that there was a probability that the Union party or the Union side might lose the soldiers' votes if Mr. Manierre was not their candidate for Congress?

Answer. No; I think not.

Question. I mean lose their votes for Congress?

Answer. The object was to get Mr. Dodge nominated. I heard the subject discussed in relation to having Mr. Dodge nominated as early as possible that he might have time to get the proper papers, and send them to the army and get the votes.

Question. Well, now, I ask you if you heard it stated at any time that the Union side might lose any votes for Congress if Mr. Manierre didn't continue the candidate?

Answer. That subject may have been mentioned in the nominating convention.

Question. At any other time was it mentioned?

Answer. I don't recollect, except at that time by some of Mr. Manierre's friends.

Question. Did you ever hear any estimate, or any mention of the number of soldiers' votes that Mr. Manierre probably had?

Answer. No, sir.

Question. Did you ever hear it mentioned what would be done, or what could

be done, with any soldiers' votes that Mr. Manierre had, or could be obtained through him?

Answer. No, sir. It was supposed that those votes would be useless, of course, if he were not a candidate.

Question. Now, Mr. Sherwood, I wish you to try and see if you can't recollect any other meeting, or conference, or consultation, or caucus, that you attended at which the subject of money or expenditures was discussed, except the two at Mr. Cannon's house?

Answer. Well, it would be impossible for me to say—point out any other place. I presume there was; I can't recollect.

Question. As your stock of knowledge is very extensive, you appear to have forgotten more than you know.

Answer. I never mixed in politics enough to have a large stock of knowledge.

Question. When and where did you hear the opinion expressed that it would be useless to expect to get the soldiers' votes that Mr. Manierre had?

Answer. That is my opinion. I said distinctly—I said of course those votes would be useless.

JOHN H. SHERWOOD.

Attest:

JOHN R. BRADY, *J. C. P.*

James Dennis sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. What is your residence, Mr. Dennis?

Answer. 234 East Thirty-second street.

Question. State your office and employment.

Answer. I am a real estate broker.

Question. Are you an assistant commissioner of assessments?

Answer. Not now. I have been a deputy tax commissioner in the city and county of New York.

Question. Have you long been a resident of this third district, Twenty-first ward?

Answer. Yes, sir, ever since it has been a district.

Question. Have you always taken an interest in politics?

Answer. Yes, sir.

Question. Has your business as a real estate agent or broker familiarized you with it in this third district?

Answer. Not so much as my official position as deputy tax commissioner, which I have been for seven years.

Question. Did your duty require you to know owners of real estate in the district?

Answer. Yes, sir.

Question. Do you know what was the number of votes cast at the November election last, for each of the three candidates for Congress in this district?

Answer. Yes, sir. If my recollection serves me right, Mr. Barr got 205, by the returns; Mr. Dodge, 137; Mr. Brooks, 188.

Question. Was this the result which, from your own knowledge of the district, derived as aforesaid, you expected?

(Objected to as having nothing to do with the matter now under examination.)

Answer. Well, I don't know as I had any expectations about what the vote would be, but after the announcement of the vote it was not what I expected the vote would be, or ought to be, in proportion to the vote for the electoral ticket.

Question. Did you expect that it would fall behind, or what relation did you expect that it would bear to the electoral ticket?

Answer. I expected Mr. Dodge would run ahead of it.

Question. Why did you expect Mr. Dodge would run ahead?

(Objected to.)

Answer. For various reasons. I have heard several gentlemen that voted the democratic ticket indicate, in conversation, that they were going to vote for Mr. Dodge, and the position that Mr. Dodge held with a great many of the owners of property would induce them to vote for him. Various considerations—he was well known; almost every one in the district knew him, and he had several friends in the district that were working enthusiastically for him.

Question. You state as one of your grounds of expectation of a larger vote for Mr. Dodge, his connexion with real estate. Please state what you mean by that?

Answer. Most of the property in the district belonged to Mr. Anson G. Phelps. Mr. Dodge is the executor, and he has sold the lots to different parties, and given loans; and their business connexions with Mr. Dodge—his holding mortgages, &c., against the property—has brought him in contact with them; they know him.

Question. Do you know whether Mr. Dodge, as a general thing, ran even with the electoral ticket, or how?

Answer. This district, the third, was the only one in which he ran behind the electoral ticket.

Question. How much did he run behind the electoral ticket in this particular district?

Answer. The difference between 164 and 137—that is, 27.

Question. Do you believe that many democrats in this district voted for him?

(Objected to.)

Answer. I do; yes, sir.

Question. Have you heard men whom you know to be democrats, and who voted, as a general thing, the democratic ticket, state that they would vote for Mr. Dodge, at the time residents of this district?

Answer. Previous to the election?

Question. Yes, sir.

Answer. Yes, sir.

Question. Could you state how many of these you heard, or about how many?

Answer. No, I can't, distinctly. I was quite ill with fever just previous to the election, but I felt an interest in the election of Mr. Dodge, and talked with different persons about the election, and my impression was, from the conversation I had with the neighbors and persons I met, that he would run largely ahead of his ticket, and receive a large democratic vote in the district.

Question. Do you believe that the number of votes cast for Mr. Dodge was incorrectly counted?

Answer. I believe they were.

Question. State why you believe that there was such a thing in the canvassing of the district?

Answer. Well, on the evening of the election, when I heard the vote announced, I was surprised to hear Mr. Dodge had run so far behind. The next morning I met a young man in Thirty-second street, who asked me why I was not at the polls the night previous while they were canvassing. I told him that I was sick, and I had been working hard all the day, and I hadn't been able to be out. He said—

(Objected to.)

He said that there was cheating going on there. Mr. Fitz Simmons was one of the inspectors.

Question. Please continue, Mr. Dennis, what this young man said.

(Objected to.)

Question. Did this young man say there were gross irregularities there perpetrated?

Answer. He didn't use that expression. He said that Mr. Dodge was apparently cheated. Mr. Fitz Simmons acted as one of the canvassers; and he was satisfied that the votes belonging to Mr. Brooks were given to Mr. Dodge, and the number that properly belonged to Mr. Dodge was given to Mr. Brooks. He was there during the canvassing and was satisfied that Mr. Dodge was cheated out of the proper number, and he asked me why I wasn't there to watch it.

Question. Do you know the character of this Mr. Fitz Simmons?

(Objected to.)

Answer. I am acquainted with Mr. Fitz Simmons.

Question. What do you know about this Mr. Fitz Simmons?

Answer. Well, as a politician, his character I don't consider good.

Question. Does he take an active part in politics?

Answer. Yes, sir.

Question. On which side?

Answer. The democratic side.

Question. Is he peculiarly zealous in electioneering?

Answer. Very much so indeed.

Question. Have you ever known him, in his anxiety to favor the good democratic cause, to do that which was improper?

(Objected to.)

Answer. Yes, sir, I have seen him take tickets off the ballot-box and change them, and put on other tickets in their place, while the inspectors were examining to see whether the names were registered or not.

Question. Do you remember when you saw this done?

Answer. Two years ago.

Question. Were you present?

Answer. Yes, sir.

Question. Do you know whose votes were so changed?

Answer. The individuals? No, sir.

Question. Did you know that those votes were offered which this Mr. Fitz Simmons changed?

Answer. The votes were offered and distributed on the various boxes on the table, and this inspector turned to see whether the name was there, and while doing so Fitz Simmons changed the vote and put another one in the place of it. I was told previous to that that he was doing that all day. The inspector was an old man, very incompetent for the position, and a smart man could play that game on him.

Question. Did you say anything to Mr. Fitz Simmons with reference to such misconduct?

Answer. I did. I accused him of it.

Question. Do you remember his reply?

Answer. He laughed in a sneaking, insinuating, insulting sort of way.

Question. Does he usually stand around polls and electioneer for the democratic cause?

Answer. Yes, sir; he is always round in the polling district; he was always round helping them count, whether he is a canvasser or not. I protested one evening previous to that to his taking part in the counting when he was not a regular canvasser. Sometimes men volunteer their services to help the canvassers count their votes—what I consider illegal.

Question. What office had he in the November election last among the officers who managed that election in this third district?

Answer. He was one of the canvassers; so I was told. This young man said Fitz Simmons was one of the canvassers.

Question. Has Mr. Fitz Simmons any business?

Answer. Yes, sir, he keeps a liquor store where the polls were held.

Question. Do you know of his selling any liquor on the day of the election? (Objected to.)

Answer. I never saw any liquor sold. I have seen liquor drank upon his counter, and heard them drink. There is a curtain placed right along fore and aft to keep the bar from being seen by the voters outside, and I have seen drinking there and heard clinking of glasses.

Question. Did you hear any drinking about the time of this last election there?

Answer. I did, but I can't recollect whether it was the November or the December election. I had occasion to go around to see a man there, and while I was there I saw a man drinking inside.

Question. Did you vote for member of Congress?

Answer. I did.

Question. Where did you vote?

Answer. At the third election district, Twenty-first ward.

Question. For whom did you vote?

Answer. Mr. Dodge.

Question. Did you read your ticket?

Answer. No, sir, not the one I voted, I didn't.

Question. How do you know you voted for Mr. Dodge?

Answer. Well, during the day I had some hundred or so in my possession of Union tickets. I know that numbers of those tickets had been opened for parties to look and read, and satisfy themselves, and I know I had none but Union tickets; and when I offered my ticket I handed one of them.

Question. Do you believe you voted for Mr. Dodge?

Answer. Yes, sir.

Question. You intended to vote for him?

(Objected to.)

Answer. Yes, sir.

Question. Mr. Dennis, was this man, Fitz Simmons, arrested as a rioter?

Answer. Yes, sir; he was arrested as one of those rioters.

Question. Do you know whether he was convicted or not?

Answer. No, sir; after being confined a day or two—I don't know whether it was two or three days—he was let out. He was arrested with a whole party of others in his house.

Question. Do you know of any part that he took in the riot?

Answer. No more than what I have heard.

Question. What did you hear?

(Objected to.)

Answer. Common talk that he and his party had arms and fired at the soldiers.

Question. I ask you with reference to this riot, what you heard of these acts in his premises?

Answer. I was told that they fired from his house on the military, and the military fired back and killed a number in his store.

Question. Was Fitz Simmons shot himself?

Answer. Not that I heard of.

Question. Are you sure that some were shot in his house?

Answer. I am not sure, except the common report that a number were killed of Lieutenant Putnam's regular company, the military that were fired upon from his house. There is a number of bullet-holes in the house now.

Mr. WATERBURY:

Question. What democrats, who were residents of the third district, informed you that they voted for Mr. Dodge?

Answer. I can't distinctly recollect their names. I had been very sick just previous to the election, and suffered a great deal from bilious fever; in walking around, in conversation with them, it appeared to be the general impression that a great number of democrats were going to support Mr. Dodge, and no other part of the Union ticket. I can't recollect the names; I was very ill at that time with bilious fever and neuralgia in the head.

Question. Can you name one democrat residing in the third district, Twenty-first ward, who said he had voted for Mr. Dodge, or intended to vote for him?

Answer. I can't. I can't now recollect the names.

Question. Did you see any person, or do you know that any person who voted for the McClellan electoral ticket in the third district, Twenty-first ward, voted for Mr. Dodge? Did you see any of them vote, or do you know that they did vote for him?

Answer. I can't answer that question direct. I can simply answer it that a number of persons came to me and asked me for Mr. Dodge's ticket, and held in their hands, judging from the indorsement, all the rest of the democratic ticket. They asked for Mr. Dodge's ticket. I gave a number of tickets, and I have every reason to believe that the others were democratic tickets, from the indorsements, presuming that they asked me for the purpose of voting them.

Question. How many soldiers' votes were polled in the third district, Twenty-first ward, at the last November election?

Answer. I can't say, sir; I didn't count them distinctly

Question. Do you know whether any were polled?

Answer. Yes, sir; I have seen a number of them polled.

Question. Can you recollect the name of the voter in any case?

Answer. I can't distinctly. I recollect of a Mr. Tracy, a soldier's vote; and another one, a Captain Ewing, a soldier's vote; the rest I don't recollect. I saw four or five vote at one time.

Question. Did you see any soldier's ticket voted in which there was no Congress ticket?

Answer. Yes, sir; some of them were opened and distributed in which there was no Congress ticket.

Question. How many soldiers' votes did you see voted altogether?

Answer. I should judge in the neighborhood of from eight to twelve.

Question. Did you see any soldier's ticket voted in which there was a Congress ticket?

Answer. Yes, sir; I saw one.

Question. Whose was that?

Answer. That was Captain Ewing.

Question. Did you see any other?

Answer. I don't recollect positively.

Question. Which electoral ticket did the soldiers vote whose vote you saw voted?

Answer. From the indorsement, all, with the exception of Captain Ewing, voted the democratic electoral ticket. I judged from the indorsement and the character of the paper. I knew the Union indorsement; they had only one indorsement.

Question. About what time were these soldiers' votes voted?

Answer. Voted at different times through the day, as parties came up with them, offering to vote them, who had them in charge.

Question. Were you present in the poll-room during the whole day?

Answer. No, sir, not constantly; I was in and out.

Question. Where was it you gave out those votes that you said you gave to the people who wanted them?

Answer. Outside.

Question. Did you give out any votes in the poll-room?

Answer. No, sir; I don't recollect particularly giving out unless some one should have asked me.

Question. Who were the inspectors by whom the election was held in that district?

Answer. Mr. Charles Heiseman was one; John McGowan was another; and I forget the other man's name, although I have known him for years—I know his countenance,

Question. What is the politics of Mr. Heiseman?

Answer. He is a republican.

Question. What is the politics of Mr. McGowan?

Answer. A democrat.

Question. And the other?

Answer. He was a republican. The district was entitled to two republican inspectors..

Question. Who were the canvassers?

Answer. Mr. Heiseman and Mr. Fitz Simmons. I don't know who the other one was.

Question. Mr. Heiseman is a republican?

Answer. Yes, sir,

Question. And Mr. Fitz Simmons a democrat?

Answer. Yes, sir; I was told there were two democrats and one republican.

Question. Mr. Heiseman acted in both capacities?

Answer. Yes, sir.

Question. What was the name of the other?

Answer. I don't know, sir.

Question. Was he a democrat?

Answer. He was a democrat.

Question. Is Mr. McGowan a supporter of Mr. Barr or Mr. Brooks?

Answer. I was told that Mr. McGowan voted for Mr. Dodge; two or three told me that he said he had voted for Mr. Dodge.

Question. Was Mr. Fitz Simmons a supporter of Mr. Barr or Mr. Brooks?

Answer. I don't know, sir.

Question. Did you ever hear whether he supported Mr. Barr or Mr. Brooks?

Answer. I did at that time, but I forget; I knew on that day, but I really forget now. My impression is that he went for Mr. Brooks, but then I am not certain. I have lost sight of these little things by my being very enthusiastic for Mr. Dodge myself.

Question. The third canvasser, was he a Brooks or a Barr man?

Answer. I don't know, sir.

Question. Do you know how the inspectors were appointed in this ward?

Answer. I presume they were appointed by the supervisors, as the law directs.

Question. Do you know who had the making out of the lists of the inspectors, each side, in this ward, for appointment by the board of supervisors?

Answer. No, sir; I am not in the ring.

Question. Did you never hear? Did you never hear that a Barr man, or any friend of Mr. Barr's election, had the appointment of inspectors and canvassers on the democratic side, and that they were all hostile to Mr. Brooks's election?

Answer. No, sir; I never heard a word on that subject.

Question. Didn't you see more than twelve soldiers vote?

Answer. I may have, but I am not positive; they voted through the day; now and then a vote came along. My impression is, eight to twelve; there may have been fifteen; I cannot say. I objected to several of the votes I know, because there was no residence given.

Question. Do you know Mr. Joseph Gerry, 318 Thirty-second street?

Answer. No, sir.

Question. Do you know Mr. Luke O'Reilley?

Answer. No, sir.

Question. Do you know Mr. James McKenna?

Answer. In Thirty-second street?

Question. Anywhere.

Answer. There is a McKenna in Thirty-second street, that lives between me and Second avenue.

Question. In Thirtieth street?

Answer. No; I don't think I do. You are asking me if I know those men. I just wish to say a word. I have lived in this ward for years, and know a great many people, but I don't know their names. I talk with them, but I can't call them by names.

Question. Do you know Mr. E. Hartley, corner of Thirty-second street and First avenue?

Answer. No, sir.

Question. Do you know Mr. Henderson, 155 Thirty-first street?

Answer. I know that there is such a man there. I have seen him, but I am not personally acquainted with him.

Question. What are his politics?

Answer. I can't say.

Question. Do you know Mr. Hugh Kelley, 340 East Thirty-second street?

Answer. No, sir.

Question. Do you know Mr. Patrick Kingsley, 156 East Thirty-first street?

Answer. No, sir.

Question. Do you know Mr. Gustavus Kauffman, 314 Thirty-second street?

Answer. No, sir; I don't think I know him.

Question. Do you know Mr. Westheimer, 44½ Thirty-first street?

Answer. No, sir.

Question. Do you know Mr. James M. Boyd, 219 East Thirtieth street?

Answer. No, sir.

Question. I ask you if you think, from your general knowledge of tenants, that the fact that a man has a landlord who is a candidate will affect his vote. Do you think they are more likely to vote for him?

Answer. If they have pretty good landlords they always appear to be inclined to.

Question. Do you know whether or not Mr. Dodge attended to the collection of his rents and the repairs of his premises that he rents, either for himself or Mr. Phelps's estate, in person, or by agents, in the third district?

Answer. I don't believe they own a solitary house in the third election district—Mr. Dodge or Mr. Phelps's estate. I believe they own some vacant lots. They hold mortgages on a great deal of property.

Question. Do you think that mortgagors are more apt to vote for persons that hold mortgages on their houses than they are for others?

Answer. Well, I take this view of it: Where a mortgagor comes in contact with a mortgagee and gets acquainted with him, and pleased with his manner and treatment towards him, he is very apt to waive his political feeling and vote for him. Sometimes they can't pay their interest within a proper time and are accommodated. There are always contingencies.

Question. On how many houses in the third district has Mr. Dodge or the estate of Mr. Phelps a mortgage?

Answer. I don't know how many. A great many may have been taken up by the parties that gave them.

Question. On how many did they have mortgages, so far as you have knowledge?

Answer. I have no positive knowledge, except from the fact that they sold lots and gave loans to parties to build.

Question. Did you ever know of either Mr. Dodge or the estate of Mr. Phelps

having a mortgage upon one house in the third election district of the Twenty-first ward?

Answer. I have no positive knowledge, so far as seeing the mortgage, or anything of that kind, is concerned. I merely heard people say that the estate had mortgages against their property, &c., and then I knew the property was sold and a loan given towards building the house. That is the way they sold their property.

Question. You said that the third district of the Twenty-first ward was the only one in which, by the returns, Mr. Dodge was not ahead of Mr. Lincoln. Did you state that fact from an examination of the returns?

Answer. Yes, sir; from a report of the returns that Mr. Dodge ran behind the electoral ticket.

Question. To what report of the returns do you refer?

Answer. I refer to the return that was given in the papers, and the police returns given that evening of the election.

Question. Will you undertake to say that by the police returns Mr. Dodge received as many votes as Mr. Lincoln in either the first, fifth, or eleventh districts of the ward?

Answer. That is my impression—that he ran ahead of the electoral ticket in every district except the third.

Question. Are your impressions in regard to that fact as decided as they are in regard to Mr. Fitz Simmons's character?

Answer. Yes, sir; more so. I observed it was a very singular circumstance at that time, that in the third district, where I expected him to run further than in any other district, that he should run behind.

Question. Do you know whether there were as many soldiers' votes polled in other districts as in that?

Answer. No, sir; I do not.

Question. Was it your general experience at that election that the soldiers' votes polled were for McClellan and not for Lincoln?

Answer. In my district the majority of the votes that I saw polled was for McClellan, so far as the indorsement was concerned.

Question. Was that the case in other districts?

Answer. I don't know, sir.

Question. Did you hear anything said about other districts?

Answer. If I have, I don't know now. The remarks I may have heard made no impression on my mind.

Question. Who was this young man who gave you this wonderful information in regard to the cheating in the third district.

Answer. I don't know his name; I was familiar with his countenance. He met me the next morning on the corner of Thirty-second street and Third avenue.

Question. Have you ever seen him since?

Answer. No, sir; I have not. I didn't think enough of it to ask him his name, or have any further words about it.

Question. How often had you seen him previously?

Answer. I can't say as to that. He was some young man around that neighborhood. I am acquainted with the expression of countenance of pretty nearly the whole of them.

Question. Do you know where he lives?

Answer. No, sir,

Question. Does he live in this part of the city?

Answer. Somewhere in the Twenty-first ward. My impression is he lives somewhere close to where I do.

Question. You don't think he absconded after giving you that information?

Answer. I don't think he did.

Question. What do you actually know about Mr. Fitz Simmons's character as a man?

Answer. As a private citizen I don't know anything about it. He appears to be a very clever sort of a fellow.

Question. Don't you think it is derogatory to any man's character that he is a democrat?

Answer. No, sir; I know some very nice men that are democrats.

Question. Don't it create a general derogatory impression in your mind in regard to a man that he is a democrat?

Answer. No, sir; I am not so bigoted as that.

Question. Don't you think that you take prejudices easily against men?

Answer. No sir, I think not; I have got a great many relatives democrats, and a good many warm friends.

Question. If a man didn't do as you wanted about school matters, don't you think you would take a prejudice against him very easily?

Answer. If he done it positively, then I certainly would be prejudiced against him, as I was against you.

Question. Then, if a man does contrary to what you wish, that does have a tendency to create a prejudice in your mind?

Answer. No; I don't know as it does create a particular prejudice against him. It would be no more a prejudice than if a man of my own party would do the same thing.

Question. I asked you a while ago if a man did contrary to what you wished if it would create a prejudice in your mind, and you said if he did it positively.

Answer. I thought you were speaking politically.

Question. No, sir.

Answer. No, sir; it would create no prejudice in my mind at all.

Question. Am I to understand you that it would create a prejudice in your mind if a man did contrary to what you wished in politics?

Answer. Not personally or socially.

Question. How would it?

Answer. Politically it would.

Question. How do you discriminate between your personal and political prejudices?

Answer. Well, I can hardly define that.

Question. How is it that you save yourself from having a prejudice against a man personally, against whom you have a prejudice politically?

Answer. Well, I don't know as I can explain where the dividing line is there. There is a dividing line between a political and a personal prejudice.

Question. I want to know how you save yourself from having a prejudice against him personally, when you have politically?

Answer. My social and personal relations with him would be entirely different from my political relations, and, therefore, would have no bearing whatever upon them. I have no personal prejudice against Mr. Fitz Simmons.

Question. Have you a political prejudice against him?

Answer. I have, because he is dishonest; I have seen it.

Question. To what extent is your prejudice against him founded upon knowledge other than hearsay of political dishonesty on his part, and to what extent upon the antagonism of political opposition?

Answer. That appears to be a complicated question. I don't see where I can make a distinction between those two. There appear to be two questions there in one.

Question. Have you any knowledge other than hearsay, except the occurrence which you allege of changing tickets upon one occasion, of any political dishonesty upon the part of Mr. Fitz Simmons?

Answer. No; I don't recollect of any in particular.

Question. Now, when did this alleged occurrence of changing tickets take place?

Answer. Two years ago last December.

Question. December of 1862?

Answer. December, 1862.

Question. Where did it take place?

Answer. In the third election district.

Question. Who else was present?

Answer. I can't recollect individuals.

Question. Who else were inspectors at that election?

Answer. Mr. Pettigrew was one of the inspectors.

Question. What Pettigrew? John?

Answer. No; his name is Robert. Pettigrew, did I say? No; excuse me; Mr. Duncan, not Pettigrew.

Question. What was he? a republican?

Answer. Yes, sir.

Question. What did you say when you saw Mr. Fitz Simmons change the tickets?

Answer. Well, I can't answer exactly what I said. I protested against his doing it, accused him of doing it, and protested against it, and told the policemen they had ought to arrest him. I said a good deal; I was much excited.

Question. What did Mr. Fitz Simmons say?

Answer. Nothing particular. He laughed and snickered, and thought it was very smart. He didn't deny it, and didn't confess it.

Question. What box did he have charge of?

Answer. He didn't have charge of any box. He stood outside, leaning against the table, leaning right by the charter box, the charter ticket.

Question. Were you standing close to Mr. Fitz Simmons?

Answer. Yes, sir.

Question. He wasn't an inspector, you say?

Answer. No, sir. My attention was called to the fact that he was doing it, and had been doing it all day; and I went there and caught him at it.

Question. Well, now, who were the other inspectors beside Mr. Duncan?

Answer. I forget.

Question. What did they say in regard to the matter?

Answer. I don't know as they said anything in particular. I protested against such conduct being there in the poll-room; and the other two were democrats, and it didn't amount to much what I did say; they paid little or no attention to it.

Question. Did they say anything in regard to that being a proper mode of conducting an election, in their opinion?

Answer. No, sir.

Question. Who have you heard speak of Mr. Fitz Simmons's character?

Answer. I can't now recollect distinctly any one in particular; general remark; general talk.

Question. Can you state one person whom you have heard express an unfavorable opinion as to Mr. Fitz Simmons's character?

Answer. No; I cannot call to mind now one particular person that I could possibly fasten it on.

Question. You said that Mr. Fitz Simmons took an active part in politics as a democrat?

Answer. Yes, sir.

Question. Very officious, was he?

Answer. Yes, sir.

Question. Wouldn't that fact of itself have a tendency to create a feeling of dislike in your mind?

Answer. No, sir.

Question. Do you say that if you had never known or heard anything imputing dishonesty to Mr. Fitz Simmons, that your feelings towards him, in view of the active part he took against your party, would have been cordial and friendly?

Answer. Yes; I don't know anything to the contrary.

Question. I understood you to say that you didn't know of any liquor being drank at the poll-room at the time of the November election?

Answer. I am not positive whether it was the November or December. On one of those elections I had occasion to go around, and saw them drinking.

Question. Do you say there was at the November election?

Answer. I am not positive.

Question. On other occasions, when you saw this liquor-drinking, who were the parties drinking?

Answer. They were outside parties; they could get in at the back door.

Question. Do you know what they drank?

Answer. No, sir.

Question. Do you know that they drank anything more than water?

Answer. Well, I saw them pouring it out of decanters, different colored liquor; I had no reason to believe it was water.

Question. I understood you to say that the only reason you knew they were drinking was from hearing the jingling of glasses?

Answer. On other occasions I heard the jingling of glasses, and people talking behind this curtain at every election.

Question. Do you know whether at any time, except that one occasion—do you know whether, on any other occasion, you saw spirituous liquors drank on the day of election?

Answer. I only saw them once, but I firmly believe it was drank at every election.

Question. Was your unfavorable opinion of Mr. Fitz Simmons formed previous to the last November election?

Answer. Yes, sir.

Question. To what extent was that unfavorable opinion founded upon his great heinousness as a violator of the law by allowing liquor to be drank on his place when an election was held there? (That appears to be the criminal act he committed, according to Mr. Phelps.) Was it formed mainly upon that, or upon other facts and circumstances?

Answer. It was formed upon other acts; his political acts around the district.

Question. Was it founded at all upon this circumstance of their drinking liquor?

Answer. Not particularly upon that. They drank liquor there at those times. I have been there and heard them. I believe they do, for all the law prohibits it.

Question. Do you attach the same high criminality to drinking liquor that Mr. Phelps does?

Answer. It is a direct violation of the law, I believe.

Question. Isn't it a violation of law to give out tickets inside of the poll-room?

Answer. I believe it is.

Question. As I understand you that you have given out tickets inside of the poll-room, do you consider that you ought to be punished for that?

Answer. I don't consider that a violation. I never offered nor solicited any one to vote.

Question. Which is the worst violation of law, to give out tickets in the poll-room, or to let some persons have a drink in the back room?

Answer. I don't consider that I violated the law at all, when a person asked

me for a bundle of tickets and I handed them to him. I don't consider that a violation of law. I never offered nor solicited any man to vote inside of the poll-room.

Question. Do you suppose the law is really limited to the soliciting?

Answer. I presume so.

Question. In regard to Mr. Fitz Simmons being a rioter, who have you heard say that he took part in the riots?

Answer. I can't recollect distinctly. It was the common talk with every one in the neighborhood that he was mixed in it. He was arrested, and his name was in the papers; and the papers said a number was killed in his house. It was the common talk all around the neighborhood.

Question. Was it not the common talk in the neighborhood that all the people around there were engaged in the riots?

Answer. No, sir.

Question. Was it not the common talk that most of the people living around there were engaged in the riots?

Answer. I do not know; the rioters came from that neighborhood, around the Second avenue. There was none to my knowledge or belief on this side of the Second avenue; the riotous-disposed persons were all on that side.

Question. Does Mr. Fitz Simmons own the house in which he lives?

Answer. It is down to his name, though I don't know; it is down on the tax-book to him as being his.

Question. Did he occupy the whole house himself?

Answer. I do not know, sir, whether he does or not.

Question. What is your belief? Do you believe he occupies the whole house?

Answer. I couldn't say.

Question. What is your belief?

Answer. My impressions would be that he does not himself, and yet he may; he may take boarders or something of that kind; he may have a large family; I do not know.

Question. Do you think he should be held responsible for what other people did?

Answer. No, I should think not.

Question. On whose complaint was Mr. Fitz Simmons arrested?

Answer. He was arrested, I guess, on the complaint of Lieutenant Putnam, who rushed in the premises and arrested him; took other persons too—took seven or eight of them.

Question. Was it through political influence Mr. Fitz Simmons got off?

Answer. I do not know about that; I have heard so.

Question. Do you think that the political influence of democrats was very powerful among those who had the control of the United States forces at that time in this city?

Answer. I do not know, sir; I know a good many of them got off.

Question. Why do you think that Mr. Fitz Simmons got off through political influence?

Answer. I have no reason why I think so; that was the report at that time.

Question. What was it?

Answer. That he got out through political influence. Speaking of that, I believe democrats can generally get more favors from republicans than republicans themselves can.

Question. Do you know of any democrat who had control over the matter—over the proceedings, rather—during which Mr. Fitz Simmons was arrested?

Answer. No, sir; I do not.

Question. Do not you know that the control of the United States forces that were here in the city at the time of the riots was with the republicans?

Answer. No, sir; I understood them to be in the control of Major or Colonel Brown and General Dix, I believe. I am not certain, however; but Colonel Brown, I believe, was sent on here to take charge, and I believe they are both democrats.

Question. Was General Dix here at that time?

Answer. My impression is that Major Brown at that time had charge. I had to send my family off to the country to save their lives.

Question. Were not the United States district attorney and the United States marshal, who had control of the persons arrested, republicans?

Answer. I believe the United States marshal and district attorney were republicans.

Question. The control of the matter being vested in General Harvey Brown, who you say is a democrat, and the United States marshal and district attorney were republicans, should not you think the fact that Mr. Fitz Simmons was discharged immediately after his arrest should be taken as presumptive evidence of his innocence?

Answer. No, sir; as I remarked before, I think a democrat would get off quicker than a republican would in a scrape of that kind; my observation is that republicans are disposed to give them more favor.

Question. Who had the expenditure and were vested with the disbursement of the moneys expended in the aid of Mr. Dodge's election in this ward?

Answer. I do not know, sir; I did not get no money from anybody.

Question. Were you a member of the republican organization?

Answer. No, sir.

Question. Did you take an active part in the election?

Answer. Yes, sir.

Question. Otherwise than in the third district?

Answer. No, sir; not directly. I never belonged to the republican organization.

Question. Who had charge of the Union or republican organization, or side, of the third district?

Answer. Mr. Robert P. Duncan, I believe, acted as the chairman or representative of the republican party in that district.

Question. Who paid the men employed?

Answer. I presume he did, being chairman.

Question. Do you know who had charge in any other district?

Answer. No, sir; I do not now recollect; I might know at the time. I am not a member of the republican party, and I know nothing about their internal workings.

Question. You are a member of the Union party?

Answer. I acted with them, but never was an active member.

Question. Did you attend any meeting previous to the election at which the subject of funds was talked over?

Answer. No, sir; I disbursed and spent my own money.

Mr. PHELPS:

Question. Did you see Mr. G. B. Grady vote?

Answer. Yes, sir.

Question. Did he vote near the time that you voted?

Answer. No, sir; I stood by when he voted.

Question. Did you see him hand his tickets to the inspector?

Answer. Yes, sir.

Question. Do you know Mr. Matthew S. Ewing?

Answer. Captain Ewing? Yes, sir.

Question. Was he in the city at the time of the election?

Answer. No, sir; he was outside on duty.

Question. Did he send any tickets home to be voted?

Answer. Yes, sir; Mr. Pratt voted for him.

Question. Do you know for whom he voted for Congress?

(Objected to.)

Answer. He voted the whole Union ticket so far as the indorsements were concerned.

Question. Is Captain Ewing now absent from the city?

Answer. I presume so.

Question. Is he in the United States army?

Answer. Yes, sir.

Question. Do you know, Mr. Dennis, a good many men whom you do not know the names of?

Answer. Yes, sir; a good many of them.

Question. Do you know many men with considerable intimacy, whose names you do not know?

Answer. Yes, sir; I have known men for many years; have met them in the street and talked with them, and yet I did not know their names.

Question. There are many gentlemen living in the district, parties whom you do not know personally by name?

Answer. Yes, sir; and I have lived here for 16 or 17 years.

Question. Do you know of Mr. Dodge or Mr. Phelps holding at this time any estate in the district?

Answer. Some vacant lots, unless they have sold them; I presume they own them; they are on the tax-books as such, and put there by order of their firm.

Mr. WATERBURY:

Question. Did you see Mr. Pratt vote for Mr. Ewing?

Answer. Yes, sir.

Question. Did you see the inside of the tickets that Mr. Pratt voted?

Answer. No, sir; Mr. Pratt saw the inside of them; I did not; they were fixed so that the inspectors had to open them.

Question. You say that Mr. Pratt saw the inside of them?

Answer. He told me he saw it.

Question. Do you know it?

Answer. I do not know; I presume he ought to know; I stood a little on one side, and they had to open the tickets; I saw a printed name on the tickets, inside.

Question. Did the inspectors open the tickets?

Answer. Yes, sir; they were not folded right; the indorsements were not put outside right, some way or other.

Question. Did you ever know Mr. Fitz Simmons to be guilty of as great violation as the republican inspectors were guilty of in opening those tickets?

Answer. I do not consider they violated the law in trying to fix them so as to get them into the box.

Question. Does it require tickets to be opened to get them smaller?

Answer. In some cases it does.

Question. Do not you know that it is a great violation for inspectors to open a man's ticket?

Answer. Yes, sir; but this was opened accidentally.

Mr. PHELPS:

Question. What did Mr. Pratt say with reference to the congressional ticket voted by Captain Ewing?

(Objected to.)

Answer. He said he saw the name of Mr. Dodge.

Question. Were any of these tickets which Mr. Pratt offered the inspectors open and not rolled up?

Answer. My impresssion is that some of them were not folded up, and somebody had to fold them; I stood off one side while Mr. Pratt stood in the centre, and I recollect seeing the names of the various candidates on some of the tickets, and I saw the inspector working at them and fixing them so he could put them in the box; they had to be folded up again.

Mr. WATERBURY:

Question. About what time did Mr. Pratt vote for Mr. Ewing?

Answer. I think it was along in the afternoon; I should think along in the middle of the afternoon.

Question. When did Mr. Pratt say that he had seen the inside of the tickets?

Answer. Since this question of the contest of the seats came up.

Question. Did he say whether he saw the inside of the tickets before he handed the votes to the inspectors, or afterwards?

Answer. He did not say whether it was before or after. He could not have seen it before, because they were folded up. I saw the inspectors break the seals.

Question. Where does Captain Ewing live?

Answer. It was then 136½ East Thirty-second street; now 236.

Question. Isn't it 160½?

Answer. No, sir; that isn't the right number.

Question. Did you say that it was voted a second time?

Answer. I don't know. Mr. Phelps said it was on there twice.

Question. Did Captain Matthew S. Ewing ever live at 180½ Thirty-second street, old or new number?

Answer. Not to my knowledge.

Mr. PHELPS:

Question. What was the real number where Captain Matthew S. Ewing lived

Answer. 136½—236 new number.

Question. Has this street been re-numbered?

Answer. Yes, sir.

Question. More than once?

Answer. No, sir.

JAS. DENNIS.

Attest:

JNO. R. BRADY, *J. C. P.*

Gideon L. Walker sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. State your residence, Mr. Walker.

Answer. I reside at 228 East Thirtieth street.

Question. In what election district?

Answer. In the second election district, Twenty-first ward.

Question. How long have you lived there?

Answer. About seven years.

Question. Have you been inspector or canvasser in that district?

Answer. I believe I have been either one or the other, and sometimes both, every year since I was there.

Question. Do you know how many votes were ever polled there—the largest number?

Answer. Last fall, November, 1864, I think, there were something over 550.

Question. Did he send any tickets home to be voted?

Answer. Yes, sir; Mr. Pratt voted for him.

Question. Do you know for whom he voted for Congress?

(Objected to.)

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Answer. About seven years.

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Answer. I believe I have been either one or the other, and sometimes both, every year since I was there.

Question. Do you know how many votes were ever polled there—the largest number?

Answer. Last fall, November, 1864, I think, there were something over 550.

Previous to that, I don't recollect of there ever being over 306; and in November, 1863, I think it was 264; I remember it was less than 300 in 1863.

Question. Where did the board of registry for 1864 hold its sessions?

Answer. At 137 East Twenty-eighth street.

Question. Had you any office in the conduct of this election on the 8th of November last?

Answer. I was inspector of election and one of the canvassers.

Question. Did the board of registry give you, as required by law, a copy of their register?

Answer. I could not get a copy of the registry until the morning of the election.

Question. Did you make application previous to that?

Answer. Yes; I called personally upon the chairman of the board of registry on either Friday or Saturday morning previous to the election—I think Saturday—and asked him for a copy of it. It was after the time had expired that he was to furnish me with it that I called at his house, and he told me that they were writing it up, or at least it was not ready for me, and he would send it round to me that evening.

Question. Who was this chairman of the board of registry?

Answer. George Macdonald, who lives in Twenty-ninth street.

Question. Did he send it round?

Answer. He did not.

Question. What excuse did he give you for not giving it to you at first?

Answer. He said it was not ready. He said they were sitting up all night, but it was not yet ready, and he thought he would have it ready for me that day, and he would send it to me that evening.

Question. Did you send again for it?

Answer. I sent four or five times between that time and Tuesday morning—I lived close by.

Question. What answer was given to your messenger?

Answer. Stating all the while it was not ready.

Question. When did you get the register?

Answer. I got it at the time it was time to open the polls, at the polling place, on the morning of election.

Question. Who gave it to you?

Answer. Mr. Macdonald brought it there and handed it to me.

Question. Was it a correct copy, certified by the registers?

Answer. It was not certified, and I refused to receive it because it was not certified by the board of registry.

Question. Are you a lawyer?

Answer. That is my profession.

Question. Did you know that the statute required that it should be certified?

Answer. Yes, sir; I so understood it.

Question. Did you call the attention of this Mr. Macdonald to the fact?

Answer. I did; and the other inspectors.

Question. What did Mr. Macdonald say?

Answer. I don't know what he said. I know the other inspectors said it was sufficient and they would receive it.

Question. Did you consent to act under it?

Answer. I did not. I insisted it ought not to be used; that there were over 500 names more than had voted the fall before on the book, and it was not certified. I believe I entered formal objections to receiving it, that I had not been furnished with a copy, and it was not certified to.

Question. Did you attend the board of registry while they were sitting as registers and taking names?

Answer. I was there once during the time they were sitting taking names. I was at the place and found a clerk there. I did not see any of the registers.

Question. What time were you there?

Answer. I think it was about one o'clock.

Question. Did you see any names put down by this clerk?

Answer. I saw one or two come in, and the clerk wrote them down. Dr. O'Brien was one, I believe.

Question. Do you know his politics?

Answer. I think he was a very strong democrat.

Question. Did you hear any one applying to register the names of soldiers?

Answer. I heard one man come in (I have forgotten his name) asking to register a soldier's vote.

Question. Was that soldier's vote registered?

Answer. It was. Yes, sir; some man came in and said he had got a soldier's vote, and he wanted it registered.

Question. Did you make no protest?

Answer. I told him that I did not understand that a soldier's vote could be registered unless the name appeared upon the poll-list previous, in November last, unless it was done by two freeholders.

Question. Was this man compelled to make any affidavit by the clerk?

Answer. Well, I don't think that a soldier's vote, unless he is present, and his name appears there, can be registered at all; but it can be received on election day.

Question. Was the voting regular upon the day of election?

Answer. Well, we voted very rapidly. We voted about one a minute for six hours. I think every man that offered got a vote in.

Question, Were there any soldiers' votes offered?

Answer. I think over 20. I believe about 30.

Question. Were they received without the oath of identification being put to the party bringing them?

Answer. Yes, sir.

Question. Did you consent to this act?

Answer. I objected to receiving them; and there were but two of the inspectors there. They were presented by Charles W. Baker, I think, in Madison avenue. He presented 14 or 16. I objected to it, there being but one inspector there at the time. It was delayed until he returned, and when he returned they admitted it. There was no identification. They insisted that their names were upon the registry, and that they had a right to receive them.

Question. Do you know whether the names of these alleged soldiers were upon the register of the year previous?

Answer. I know they were not. I was register the year previous. I know they did not vote at the previous election.

Question. Did you know the indorsement of the tickets voted by those soldiers?

Answer. Not fully. I know that I saw them, as they came in, open the vote for the electors for President. All had the caption, I know, of the McClellan ticket; all the soldiers that I saw voted that, as a general thing.

Question. Did they vote the congressional ticket?

Answer. Generally. I think, if I remember right, there were about 20 votes for Congress more than for electors in the district; but I know a great many men who did vote there that didn't vote for Congress; all the soldiers didn't, but most all did.

Question. Are you sure that the indorsement of the electoral ticket was in all these soldiers' cases the indorsement of the democratic ticket?

Answer. I think every one.

Question. Do you know the difference between the indorsement of the democratic and republican tickets?

Answer. Yes, sir.

Question. Did one Richard Turner offer the vote of James Turner?

Answer. That is not the name. Richard Finnan offered the vote of James Finnan.

Question. Was it received?

Answer. Yes, sir; it was received and deposited.

Question. Where was he said to reside—this James Finnan?

Answer. At 522 Second avenue.

Question. Did he reside there?

Answer. No, sir. That is a part of Jackson's foundry. I have since went and examined it; it belongs to Jackson Brothers. I asked if they knew James Finnan or Richard Finnan. They never heard of any such man.

Question. Do you know which way he voted?

Answer. The man offering the vote said he lived there, and that his brother was in the army, and went from that place. I know that was a McClellan indorsement.

Question. Did you notice the indorsement on the congressional ticket?

Answer. I can't say that I did; I checked the book, and I think if it had been different I should have noticed it. I think it was a democratic ticket all through.

Question. Were there any soldiers' votes offered by parties who had never resided at the places they were said to have resided?

Answer. I took the name of every soldier that was offered at the time, and where they alleged they resided; and the next day I called at those places and made inquiry, and got another party to do likewise.

Question. Have you a list of the names with you?

Answer. I have a list of the names and residences.

Question. Will you state any of their names?

Answer. Mr. Dermoody offered the vote of Daniel Kelly. He said he lived at 515 Second avenue. He said the soldier lived in the same house.

Question. Did he live there?

Answer. I saw a man that had lived seven years in the house, and he said he never heard of any such man living there.

Question. State any others?

Answer. James Neil is one of the names that was voted by Mr. Baker. It purported to be at 127 East Twenty-ninth street. I asked Mr. Baker if he knew that he lived here. He said he did not; but they had been sent to him. I called there, and could not hear of any such man. O. Carr's name was voted as though he purported to reside at 142 East Thirty-ninth street. I called there, and could not hear of him. Peter Carroll, 128 East Twenty-ninth street; Peter Buhler, 135 East Twenty-ninth street; William Dalton, 130 East Twenty-ninth street; Simon Urig, 137 East Twenty-ninth street; Thomas Bowen, 137 East Twenty-ninth street; William Cochran, 138 East Twenty-ninth street. In regard to William Cochran, I found a family, the woman of which said that she had a husband in the army of the name of William Cochran, that lived at 141 East Twenty-ninth street; but this was voted William Cochran, 138 East Twenty-ninth street. Philip Bohlander, 114 East Twenty-ninth street. I inquired for him, and that was a blacksmith's shop, and has been for years. Nobody of the kind ever was there. G. B. S. Lawton was voted from 121 East Twenty-eighth street. I called there, and the lady informed me that she had a brother in the army, but he had went from there and resided, when at home, in the State of New Hampshire. He never resided there, and his name was not Lawton. John Gorman, 111 East Twenty-eighth street; Peter Gilligan, 121 East Twenty-eighth street. Generally, those that I have mentioned, I think, were voted by Mr. Walker; but the next one, John Dillon, 111 East Twenty-eighth street was voted before—voted by Mr. Daniel Birdsall. William Flannigan, 140 East Twenty-ninth street; August Holston, 116 East Twenty-ninth street. I would state that that is a medicine factory,

and there were four votes given, besides this soldier's, purporting to live at that place. I found that no person voting, not even a soldier, lived there; and at the charter election, one of the men, who had voted in November, offered his vote as though he lived at 116 Twenty-ninth street, and I ordered him arrested and he was taken to the station house, and he acknowledged he did not live in that district. Ruben Hovers, or Havers, I dont know which, but it is 230 East Thirtieth street. It is the next door to me; Mr. Duffy lives there. I inquired of him, and he didn't know any such name. Vernon Walley, 111 East Twenty-eighth street; Charles Bryant, 113 East Twenty-eighth street; L. Dungstadter, 116 East Twenty-eighth street, and at 118, Thomas Colwell, a man I caused to be arrested. Colwell, Houghton, Clayton and Masterson, voted from 118. No men by their names ever lived there. Their names were upon the registry, but since that time I have learned that no such men ever lived there. It is over a medicine factory. There were some others. There were two out of the whole of the soldier's votes that were offered and voted there; I found but two that were in the army. One was a Captain Livingston, living in Second avenue, and offered and voted by a young man by the name of Jaques; and the other a brother of Mr. Kearney, that lived at 111 Twenty-eighth street. Four soldiers voted from that place, but only one of them ever resided there. So I was informed by people that lived seven years in the house; and Mr. Kearney, a brother of the man that voted—he lives there also. He told me that he didn't know those men, although they were sent to him, and he put them down living there.

Question. Did anybody act as inspector of election in your district, who was not sworn, or performed the duties of inspector?

Answer. Mr. Birdsall was there handing out votes—persons whose names did not appear, the affidavit was made before him; and he would swear the house-holders.

Question. Is he a notary public?

Answer. I think he is, sir; but I objected to his doing it, not being connected with the board of inspectors.

Question. Did he have anything to do with the registry of votes?

Answer. He kept one and hunted up the names.

Question. Is that one of the duties of inspectors?

Answer. The duty of the board of inspectors is to select one individual to check the books. That was my duty. Mr. Birdsall brought one of the books of registry there in the morning and checked it during the day. I didn't see but those two—one that he brought and one that George Macdonald had.

Question. Was Mr. Birdsall sworn to discharge his duty correctly?

Answer. No, sir.

Question. You spoke of a Mr. Duffy living next door to you; does he own that house?

Answer. Yes, sir. I think he lets out part of it. He has a building running through Twenty-ninth street—the house that he occupies himself. I think he does not occupy more than one floor.

Question. In making these inquiries about residences, did you make them sufficiently to satisfy yourself upon the subject?

Answer. I did. I inquired in every room of each building. I have sent a man since, for fear I would not get it right.

Question. How happened it that you consented to go on during those irregularities?

Answer. Well, the majority of the board of inspectors said we would go on. Of course I, being in the minority, could do nothing.

Question. What were the politics of this man Birdsall?

Answer. He is a democrat, I believe; at any rate, during the riot he said he was a copperhead; he said I was safe, because his house was next to mine, and they would not dare burn mine, because it was next to his.

Question. Was the board of inspectors democratic or republican?

Answer. The majority were democratic, two democrats and myself.

Question. At what time did you make up your mind to take a memorandum of these soldiers' votes?

Answer. When they were offered, I wrote them down; and I have it now, written on the back of one of those affidavits.

Question. Did you make up your mind at the start to notice the indorsement of the tickets they voted?

Answer. Yes, sir, I did.

Question. And you are confident they voted the democratic ticket?

Answer. Yes, sir; I am confident they did. Mr. Baker did not vote there; I know him very well, and he brought fourteen of them.

Question. All the other parties you know to be democrats?

Answer. Yes, sir.

Question. You have lived some seven years in the district?

Answer. Yes, sir, in the same house.

Question. Did you express objections or make a protest against the acceptance of those soldiers' votes?

Answer. I did, sir, against each one, at the beginning only; I objected to the whole of them as they came up; he presented fourteen of them at one time; I objected to them generally; but the others, as they came, I objected to all of them.

Question. Did you state the grounds of your objections?

Answer. I did; I told them I knew they were not on the poll-list of 1863 at the November election, and that they ought not to be there; they had been improperly placed there; they said they looked over and found their names on the registry, and they could not go back of it.

Question. Did you tell them in what method those names were put upon the registry?

Answer. Yes; I told them I had understood from another man who was present that they were put there when the soldiers did not appear, and I did not believe they were legal voters.

Question. What was the name of the man who told you?

Answer. Charles H. Rogers, I think, who was there and saw them put down at the time.

Question. How many of the votes that were cast do you believe were legal votes?

Answer. Well, judging from the number of votes that had been voted before, and what was voted in the election following, a month after, I believe over 200 of them were illegal votes; there were not over 320, I think 319, the month following; and there were 550 in the November election.

Question. Do you believe there has been an increase of population in your district?

Answer. Not enough to make that number of voters, by any means; from my inquiries afterwards I judge so; those that did vote, I inquired of a great many, and they are men that did not live where they did when they voted at the November election.

Mr. WATERBURY:

Question. What did you see of Mr. Birdsall about the polls on the day of election?

Answer. He brought one of the books of registry there, and checked it, and referred to the names as they came up, to know whether they were on it; and he made the affidavits to the persons offering whose names were not upon it, and also administered the oath to the householders, who offered to give those votes.

Question. You say he stood on the outside; did he handle any votes?

Answer. I don't think he did, sir.

Question. Did he handle any votes that were polled, after they left the hands of the voters?

Answer. I don't think he did.

Question. How do you know that book he had was a copy of the registry?

Answer. I don't know; only he said it was.

Question. Was there any harm for a man to have a copy of the registry?

Answer. Not at all; I don't know as it is.

Question. Does the fact that a man has a copy of the registry in his possession, and checks it off as people vote, does that constitute him an assistant inspector, or in any way interfere with the proper progress of the election?

Answer. Not at all; only hurries it.

Question. How could it hurry it, when you had a copy of the poll-list yourself, and examined and checked them?

Answer. Because while I was checking, if it had been in the hands of the other inspector, he could not find the name as rapidly as Mr. Birdsall could; he would know the man while we were putting it down; then he would have the name, and he would say, "You will find his name, such a word, on the alphabet."

Question. Was not that a commendable thing to do?

Answer. It hurried them along.

Question. Was not that commendable?

Answer. I don't regard it so, because there were so many names on there that ought not to be.

Question. Then you think it is wrong to help people on election day?

Answer. I think it is to vote a wrong vote: we had plenty of time to spare to get in every vote that properly belonged there, and always had had before.

Question. You had your own registry, had you?

Answer. I had the one that Mr. Macdonald had handed me.

Question. You had the one for inspectors of election?

Answer. Yes; the one that I spoke of.

Question. Does the law require more than one copy to be given to inspectors of election?

Answer. I believe one shall be given to each; that's my view of it.

Question. You had one yourself?

Answer. I had the one Mr. Macdonald gave me, but the other inspectors had none; there were only two copies there.

Question. Do you know any provision of law which prohibits a person not an inspector to have a register of the names?

Answer. Not at all; no, sir.

Question. You say that Mr. Birdsall took some oaths; did he administer any oaths to voters who were challenged?

Answer. No, not to my recollection; it requires the oath of two householders to the effect that the man resides where he purports to be, if his name is not upon the register; he first must make an affidavit himself; that was proper enough for him to make as a notary public; then one of the inspectors shall administer the oath to these householders; when instead of the inspector doing it, they allowed Mr. Birdsall, under my protest, to do it; to prove that this man is a resident of the district, he takes two householders when his name is not upon the poll-list.

Question. After the oath was administered, who examined the men?

Answer. I guess Mr. Birdsall, and sometimes the other inspectors.

Question. Do you know of any persons to whom he administered the oath, as you say, to any householder or voter that voted, who was not a voter?

Answer. No; I don't know that he did.

Question. Did you ever hear that any one of them was an illegal voter?

Answer. No, sir; I have never heard of one of those that were sworn in; I think probably they did live there; these false registries, as I thought, would not put men down that did not live there; I think every man who swore were legal voters; I have no doubt of it.

Question. Was there any soldier's vote polled there in which the name was not upon the registry?

Answer. I don't remember one, sir; all were upon the register, I think.

Question. How many soldiers' votes did you see polled altogether?

Answer. I think about thirty-two, if I remember right; I am not certain; I may be mistaken.

Question. Who were the poll-clerks of that election?

Answer. Well, I don't know; I don't remember the names; Mr. Brady, it appears to be, was one.

Question. Do you know whether they, in all cases, put down the residences correctly?

Answer. I don't believe they did altogether; 130 might be called 180, or something like that.

Question. Would it not be probable to suppose that some of these soldiers' names might be a mistake?

Answer. I know it is the name that appears upon the registry. I think when a man comes to register his name he is very apt to get it right, because there is no rush; and many of them appear in those very places upon the registry list; I went down to see whether or not there might be a mistake, for I know the poll-clerks very often make a mistake.

Question. In regard to James Neil, 127 East Twenty-ninth street, who told you he did not live there?

Answer. Persons in every room, I think, and persons who had lived there for several years.

Question. Can you name one person who told you that?

Answer. I don't know their names; I asked their names, and they told me; and I asked how long they had lived there.

Question. Who told you he did not live there?

Answer. There were three or four persons told me.

Question. Who were they?

Answer. Some were women, and some were men; I know one man very well; he has worked for a long time on the Central park.

Question. Do you know whether the other persons who told you that lived there or not?

Answer. They said they did.

Question. Peter Carroll: who told you in regard to him?

Answer. I don't know the name of any person in that house, but I know I went into the house and asked for him; I might have inquired their names, but I didn't put them down.

Question. Do you know whether they lived there?

Answer. They said they did.

Question. Peter Buhler: did you inquire in regard to him?

Answer. I went there and inquired of a German man who said he had lived there a long time, thinking Buhler was a German name. He said he knew it was a German name, but no such man had lived there since he had.

Question. William Belden: do you recollect anything about him?

Answer. Every man that I have named I have inquired about.

Question. I understood that you said Mr. Cochran lived at 141 East Twenty-ninth street?

Answer. Yes, sir; nearly opposite where he was put down.

Question. Philip Bohlander: what about him?

Answer. Philip Bohlander is said to live at a place where nobody has resided for five years.

Question. Was there any of these places that you told us of, in which you were informed by a person who you knew yourself lived upon the premises, that the person of whom you were inquiring did not live upon the premises?

Answer. This man whom I inquired of at 111 and 142 East Twenty-eighth street: I know this man knew no man of his name.

Question. Was there any of the places at which you inquired if the soldier had been living there for the last three years?

Answer. Yes, sir; and I found in every house somebody who lived there since the war broke out.

Question. Were they generally tenement houses?

Answer. Yes, sir, except this blacksmith's shop and vacant lots; 146, that is a vacant lot; and the two that were at Jackson's foundry; the rest were tenement houses, except Mr. Duffy's; that is not a tenement house.

Question. Did these people that lived in these tenement houses—did they tell you that they knew every person that had lived in the house for the last few years?

Answer. Yes, sir; they did. Some had four families, and some seven or eight, and some of them had lived there for four or five years. One or two of them had husbands in the army, but they sent home no votes.

Question. Didn't you go into any room in which the people had lived only a short time?

Answer. Yes, sir; and they referred me to the persons who had lived the longest in the house. Some would say they had lived there only since May last. I have made thorough examination, and I don't think a man of those that I mentioned ever lived where they say he did. For Mr. Baker himself, he says he never knew one of them. He will tell you so. He had better be examined, I think.

Question. Did not the law make it the duty of the person receiving the votes to deliver them to the inspectors?

Answer. Baker did deliver them.

Question. Well, he complied with the law, didn't he?

Answer. As far as that was, sir.

Question. He would have committed an offence against the law if he had not, wouldn't he?

Answer. He told me he didn't know any of the men.

Question. Doesn't the law require you to deliver it, under any circumstances, at the polling-place of the district within which the voter states his residence?

Answer. There wasn't one of these stated their residence. There was nothing said where they lived; and Baker has since told me that after he got the votes, stated that he heard that they resided in this district, and came down and voted them. If it had showed where they lived, a man was bound to vote them; not doing so, I think he was not bound to vote them. He says now that he didn't know one of them. He says they were sent to him, but he didn't state how. They bore no post-mark, I think.

Question. Did you examine each one?

Answer. No, sir. Some of them did. I know this man's Livingston did.

Question. How many of them did you examine?

Answer. I think only one of those fourteen, and that is the one that Birdsall presented. It bore no post-mark, the one that I saw.

Question. Do you know of any person, of your own knowledge, who voted illegally at that election in your district?

Answer. I know the same man that I caused to be arrested in December voted in November. He came and offered to vote under the same name, and he

was up in Judge Kelly's court the next morning, and he said he didn't live in the district.

Question. Was that a soldier's vote?

Answer. No, sir; it was a vote he voted himself from 118. There were four from that place, this man Colwell among them, at the charter election. I had this list before me, knowing that no such men did live there. I immediately ordered him under arrest, and the officer took him under arrest; and he afterwards told me and the policeman that he didn't live in the district; and I know he voted in November. Then there was Van Houghton, Colwell, Clayton, and Masterson, all voted and gave their residences as of 118 East Twenty-ninth street, not one of whom resides there or have for a long time. There are only two places, over a medicine factory, and they are German people that are not naturalized. I was there again this morning, and find it precisely as I did before.

Question. How many meetings did you attend before election, in reference to the election in this congressional district?

Answer. I think I didn't attend a single political meeting in 1864. Didn't hear a single speech made, either.

Question. Did you belong to any of the associations?

Answer. No, sir. I belonged to the Twenty-first Ward Republican Association, but was not there but twice in the whole season.

Question. Who had charge of the disbursement of moneys in this district?

Answer. I don't know. I most always had charge of that district.

Question. Do you know of any person who did expend any money in behalf of Mr. Dodge's election?

Answer. I don't know a single person. I did not, and I don't know any one who did.

Question. Have there been any charges pending against you before the Doubleday commission?

Answer. Yes, sir, I believe there was. I have got them here.

Question. Were you arrested upon those charges?

Answer. No, sir. I was arrested at City Point, upon the verbal order of General Patrick, and this Mr. Foster served me with some charges. I called General Patrick a copperhead, and told him that his regiment was letting bounty-jumpers off when they would get to City Point.

Question. What were the charges against you?

Answer. That I inquired for a man there in the month of October when I knew he was in Connecticut, thereby interfering with the army of the Potomac.

Question. Do you know of any charges being tried by the Doubleday commission for improper conduct in the army of the Potomac against anybody? Were they not for offences said to be committed away from the camp?

Answer. I don't know, only what I read from the paper. I was there, and submitted the case to Mr. Stanton, and I was discharged. It was only a little trouble between General Patrick and myself. I went down to defend a man, and he got off. I was there seven weeks.

Question. Were these the only charges they preferred against you?

Answer. The only charges that I ever knew.

Question. Were there no charges preferred against you of pension frauds?

Answer. No, sir. To my knowledge, no, sir. I never heard of any. The only charge I ever knew in my life are *those*. That is the handwriting of General Foster, the judge advocate—that is, the signature is his, (showing paper.)

Question. Do you have general charge of the matter of this investigation, getting it up?

Answer. Not at all, sir. I, to satisfy my own curiosity, (I don't know Mr. Dodge,) thought I would get all these facts out. I told Mr. Esterbrook of the illegal votes in our own district—enough, I thought, to give Mr. Dodge the elec-

tion. At somebody's solicitation—I don't remember whose—somebody wished me to meet them to go to Mr. Dodge's.

Question. From your observation, where is the increase of votes the greatest: in this district, or in the thirteenth or fourteenth, in the Twenty-first ward?

Answer. There has been more, I think, on the upper side, but there has a great many gone to the army, down here. I was of opinion that there had not been much of an increase in the second district. While O'Brian was running for alderman and had every man out—his entire strength—we had only two hundred and nineteen votes at the charter election, and we had five hundred and fifty-three at the November election, and Mr. O'Brian living right here. I don't believe there is twenty more voters than there was in 1863.

Question. Do you know whether the increase in the Second avenue has been as rapid as in the Sixth?

Answer. They have built up rapidly on Sixth Avenue. I don't think the increase has been much more. I don't recollect rightly. I have not been much over there.

Question. Have there been many houses put up?

Answer. I don't know. They have built on Murray hill more than they have this way. I don't remember; it is only general observation. My opinion is that it has increased as fast over there. Since my acquaintance there every house seems to be full.

Question. How many tenement houses have been put up in the district?

Answer. I don't remember a tenement house being built in that district. There has a very large brewery been built.

Question. How many people did you say had gone to the war from that district?

Answer. I don't know, sir.

Question. Do you think there is a hundred since the war broke out?

Answer. I should think there is.

Question. Do you think there is two hundred?

Answer. No, sir; I should think about one hundred. I have heard women speak of their husbands being in the army.

Question. Do you think that there is a large number of those gone to the army—those that you say were soldiers' votes?

Answer. I don't think they voted. I couldn't find these. I don't believe a soldier voted for McClellan; but it was the men here voting under the soldiers' names.

Question. Do you think that the two persons that you named were the only soldiers entitled to vote in the second district?

Answer. I think they were; they, I think, were the only two, and I think they voted for McClellan. I think all the men that went from that district—all the soldiers—voted for McClellan. The only thing I objected to was the men that had no right to vote. I believe to-day that a majority, I have always thought, would have voted for McClellan, in this State, that were in the army, and were actual voters. I thought so, and told our folks it was going to make against the republican party.

Mr. PHELPS:

Question. Did this man Birdsall, while holding the books, electioneer or distribute tickets for any one?

Answer. I saw him give a great many votes. He had some in his hand, and when they asked about it, if they didn't have enough to vote, he would hand it to them. My attention was called to it several times. I think every man was entitled to vote; and if a man is entitled to vote, I am willing he should have anything he pleases.

Question. For which party did Mr. Birdsall thus personally electioneer?

Answer. For the democratic party. I heard him speak of going for Mr. Brooks.

Question. You are sure he voted for Mr. Brooks?

Answer. I am, sir.

Question. Is there a distinction between poll clerk and clerk of the registry?

Answer. Yes, sir; they are two different persons, I believe.

Question. Does the law require soldiers' votes to be preserved, or affidavits?

Answer. Yes, I understand so.

Question. How happened it that they were not preserved?

Answer. They were preserved, sir, rolled up and sealed.

Question. Did you make any effort subsequently to obtain them?

Answer. I did, sir.

Question. How soon?

Answer. Just at the time.

Question. Were they given to you?

Answer. No, sir; I couldn't get them.

Question. Were they found subsequently?

Answer. Not to my knowledge. I know Colonel Foster was on here from Washington, and he wanted to get some of them.

Question. What were the politics of the county clerk at that period?

Answer. I believe he was running on the democratic ticket for county clerk.

Question. Were his employés, as a general thing, republicans?

Answer. I don't know a republican; I think there are no republicans in that office; I have never heard it charged upon them.

Question. Did you protest against Mr. Birdsall's asking these questions and administering the oath?

Answer. I protested against his having anything to do with the householders.

Question. Can you swear that Mr. Birdsall did put the questions?

Answer. I am quite sure he did, towards night.

Mr. WATERBURY:

Question. Mr. Walker, who were inspectors with you?

Answer. Mr. McMillan and Mr. Geoghegan.

Question. Did you see either of them vote?

Answer. Yes. I believe they voted about the same time.

Question. For whom did they vote for Congress?

Answer. I think Geoghegan is a Tammany man, and McMillan voted for Brooks.

Question. Are you sure that Geoghegan voted the Tammany ticket?

Answer. Geoghegan is a Tammany man; I won't say that he did positively, but I know him to be a Tammany man. He ran for school officer, and I believe I voted for him (he is a very nice, excellent man) for trustee or inspector of our ward.

Question. Do you know that the other man voted for Brooks?

Answer. I am quite sure he did.

Question. Who were the canvassers?

Answer. Mr. Brady and myself and another.

Question. Who did Mr. Brady vote for?

Answer. I don't know who he voted for.

Question. Is he a republican?

Answer. Yes, sir; I believe he is. He belongs to a republican association.

Question. You voted for Mr. Dodge?

Answer. I did, sir.

Question. Who is the third one?

Answer. Henry McCabe.

Question. Who did he vote for?

Answer. I think he voted for Barr; still I would not say he did; but my impression is he did, judging from the man.

Question. Did you have any conversation with Mr. Mahony in reference to transferring the votes of Brooks and Dodge, so as to give Mr. Dodge 137 votes instead of 188, and Mr. Brooks 188 instead of 137?

Answer. I went to Mr. Mahony's house when I found he was a canvasser, (he only lives half a block from me,) and asked him if he was a canvasser; he said he was. I told him what I had heard—that I was convinced that they had made a mistake—that Brooks should have Dodge's vote and Dodge Brooks's. Said he, "Do you think that's so?" I said, "From what I have heard I think it is." Said he, "Let's go down to Fitz Simmons's"—he being the other canvasser. On the way Mahony said, "I am a Barr man, and they blowed me up that I let Brooks get as many votes as he did; but I couldn't help it. If more votes can be given Barr I have no objections. I shouldn't cry much."

Mr. PHELPS:

Question. What made you think that there had been this fraud committed?

Answer. I went round for my own satisfaction and hunted up what I thought enough evidence, and told some members of the association that if Mr. Dodge was to contest the election I thought he could beat Brooks. I had no respect at all for Brooks, and thought he shouldn't be in Congress. I met Mr. Dennis—I think he was the man—I think it was James Dennis—and some others. I heard several others speaking of it. Dennis told me what he has sworn here to-day, that Mr. Dodge had been cheated out of the vote; that Mr. Dodge's vote was given to Mr. Brooks, and Mr. Brooks's to Mr. Dodge.

G. L. WALKER.

Attest: JOHN R. BRADY, *J. C. P.*

Andrew J. Brady sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 119 East Twenty-eighth street.

Question. Did you act as clerk of the board of registry in the fifteenth district of the Eighteenth ward?

Answer. Yes, sir.

Question. Were you sworn in?

Answer. No, sir.

Question. Who were the registers of this district?

Answer. Fifteenth district?

Question. Yes, sir.

Answer. There was Mr. Hall, Mr. Dougherty, and Mr. Cowen.

Question. Did you attend at the first session of the board, three weeks before the election?

Answer. I was at the first session.

Question. What was done there at the first session?

Answer. Well, the first day of the first session I was not there.

Question. Well, the second day?

Answer. Copying the original poll-list.

Question. Did you enter any names then aside from these that were in the old poll-lists?

Answer. A few.

Question. About when?

Answer. I won't say positively whether it was done the second or third day but it was done previous to the adjournment.

Question. Did the board organize the first day?

Answer. They met the first day and organized, and then sat on the second day.

Question. Where was the place of registry?

Answer. Southwest corner of Fifteenth street and avenue A or B, I forget which.

Question. Who owned the house?

Answer. A man by the name of Thompson resides there; I don't know whether he owns it or not.

Question. What business does he do at that place?

Answer. He is in the liquor business.

Question. That means he keeps a liquor shop?

Answer. Yes, sir.

Question. You say that the first session you did not enter many names?

Answer. Yes, sir.

Question. Did you meet again after the first meeting?

Answer. Yes, sir.

Question. How long before the election was the last session?

Answer. I think it's the week previous to the election.

Question. How many days did they sit then?

Answer. They sat two, I think—five days altogether—three the first session and two the last.

Question. At this last session how many names did you enter—about?

Answer. In the last two days we entered about four hundred, I guess, easy; it might be more.

Question. And these names that you entered at the last session, where did you get them?

Answer. We got about two hundred and fifty off a book.

Question. What book?

Answer. A book that was kept in the landlord's house, Mr. Thompson.

Question. What book was it—a poll-list?

Answer. No, sir, a kind of account-book.

Question. Did you enter all the names that were in this account-book?

Answer. Yes, sir.

Question. Would you think there were as many at least as 200?

Answer. Yes, sir, between an account-book and a big piece of paper something like that, (indicating a large sheet of foolscap.)

Question. Did you enter the names that were on this paper?

Answer. Yes, sir.

Question. Did any parties appear personally whose names were entered?

Answer. Yes, sir; there were persons coming there and leaving their names with Mr. Thompson, and coming to see if it was all right, and finding their names down.

Question. How many of those who came personally made this discovery?

Answer. I can't possibly tell; I was busy from the time we commenced taking the names last session till we got through.

Question. Did all the people come whose names were on this list?

Answer. I should think not.

Question. Did half of them come?

Answer. I think not.

Question. Did a quarter?

Answer. I should think there was.

Question. Did you enter the names of any other parties that did not come personally, that were handed in on slips of paper?

Answer. It is impossible for me to say; I copied it from the paper the registers took it on; they called the names off.

Question. Were both the registers present all the time, those two days?

Answer. No, sir; sometimes they would be there, and sometimes nobody would be there except myself.

Question. Did you enter any names while you were there alone?

Answer. Yes, sir.

Question. Many?

Answer. No, sir.

Question. Did you take any names when there were but a single inspector of registry there?

Answer. Yes, sir; a number of names.

Question. How much of the time was Mr. Dougherty there?

Answer. He was not there at the last session at all.

Question. Neither of these last two days?

Answer. No, sir.

Question. How much of the time was Mr. Hall there?

Answer. He was there off and on.

Question. Was he there much of the day-time?

Answer. I believe he was there most all last session. The last day of the last session he was there very little, I believe.

Question. Was Mr. Cowen there all the while?

Answer. No.

Question. How much of the time was he there of the last two days?

Answer. The first day of the last session he was there most all day long; and then, I believe, the last day of the session. I believe he had some business down town, and had to go down. How long he was there I don't know.

Question. Do you know what was the politics of Cowen and Hall?

Answer. I judge Cowen to be a democrat, and Hall to be a republican.

Question. Did Cowen enter names when he was there alone?

Answer. On the registry book?

Question. Yes, sir.

Answer. Well, there were names entered on the books while I was away at meals; who entered them I don't know—whether it was Cowen or Hall.

Question. Did Cowen take names?

Answer. I don't recollect either one of them.

Question. Then they did not take any names when there was only one alone there?

Answer. They took names, while I would be writing up the book, on a piece of paper, and they would give me the names they had been taking.

Question. How many names were on the original poll-list that you copied from?

Answer. We copied the old names off the poll-list, I think, of the 14th district; there were in the neighborhood of 500 names in that, and we copied a little more after.

Question. How many did you subsequently add that were not in that poll-list?

Answer. That were not on the poll-list preceding the election?

Question. Yes, sir.

Answer. I think over 700 names we had down.

Question. For whom did you vote?

Answer. I voted for Thomas Barr.

(The further examination of this witness was postponed.)

Joseph Seaich sworn. (Objected to. See page 10.)

By Mr. PHELPS:

Question. Your residence?

Answer. 24 East Thirty-second street.
Question. Have you a son of the same name?
Answer. Yes, sir.
Question. Was he here on the 8th of November last?
Answer. Yes, sir.
Question. Did he vote the congressional ticket?
Answer. Yes, sir.
Question. For whom did he vote?
Answer. He voted for Mr. Dodge.
Question. How do you know he voted for Mr. Dodge?
Answer. He said he did; and both of us fixed our tickets together.
Question. Did he tell you so himself?
Answer. He did, sir.
Question. Did you vote yourself?
Answer. Yes, sir.
Question. Did you vote for member of Congress?
Answer. I did, sir.
Question. For whom did you vote?
Answer. I voted for Mr. Dodge.
Question. Where is your son now?
Answer. He is in Washington.
Question. In the army or in the civil service?
Answer. He is in the hospital, sir.
Question. Have you received a letter from him saying he did vote for Mr. Dodge?
Answer. I don't know exactly what it says now.
Question. Have you that letter here?
Answer. No, sir.
Question. What did he say in that letter?
Answer. I think he said he voted for Mr. Dodge, and he hoped that Mr. Dodge would be elected.
Question. Was that all he said? Did he say he did vote?
Answer. I think he did; he said he hoped he would gain his election over Mr. Brooks.

Mr. ANTHON:

Question. Have you any other knowledge as to your son's vote than his statement?
Answer. I went with him to vote, and saw the tickets that he fixed at the house.
Question. Did you see the inside of the tickets that he voted?
Answer. I did in the house; I didn't see them after he got there; I saw him hand the same ticket I suppose.
Question. Are you sure that he said in the letter that he had voted for Mr. Dodge, or merely that he wished him elected?
Answer. I couldn't say; he hoped he would gain his election, or something like that.

Mr. PHELPS:

Question. Did he never say to you that he voted for Mr. Dodge?
Answer. I think he has told me so at the time; afterwards he was at the house three or four weeks; I think he spoke about it frequently; I think he mentioned several times that he has. He had no occasion for it, because I understood that he was going to vote for him.
Question. Did he intend to vote for Mr. Dodge, previous to the election?
Answer. Yes, sir.

Question. How do you know?
Answer. Because he told me so.

Mr. ANTHON:

Question. Do you know that your son ever thought of changing his mind about voting for Mr. Dodge?
Answer. No, sir; I don't think he did.
Question. Do you know that he did not?
Answer. I don't know that he did not, but I don't think he did.

JOSEPH SEAICH.

Attest: JOHN R. BRADY, *J. C. P.*

Adjourned to Tuesday February 28, 1865, at 7 o'clock p. m.

TUESDAY, *February* 28, 1865.

Robert Ebling sworn (Objected to. See page 10.)

Mr. PHELPS:

Question. Your residence, Mr. Ebling?
Answer. 441 Third avenue, sir.
Question. Do you know Mr. John H. Ray?
Answer. Yes, sir.
Question. Is he at home?
Answer. No, sir; he is in the army.
Question. Where is his place of residence when home?
Answer. 441 Third avenue.
Question. Did he vote on the 8th of November last?
Answer. Yes, sir.
Question. Did he vote for member of Congress?
Answer. Yes, sir.
Question. For whom did he vote?
Answer. Mr. Dodge.
Question. How do you know he voted for Mr. Dodge?
Answer. I gave him the ticket, and I was along with him when he put it in.
Question. Did you see him put it in?
Answer. Yes, sir.
Question. Did you give out any other tickets except Union tickets that day?
Answer. None at all, sir.
Question. Did you vote yourself on that day?
Answer. Yes, sir.
Question. For whom did you vote for member of Congress?
Answer. I voted for Mr. Dodge.

Mr. ANTHON:

Question. Did I understand you that you saw Mr. Ray vote that ticket?
Answer. Yes, sir.
Question. You and he voted together?
Answer. I voted before he voted.
Question. Where were you when he voted?
Answer. I was in the house, standing close by the box.
Question. Did you examine the inside of all the tickets you gave out?
Answer. Yes, sir; he opened his and I opened mine, too; he was in the box with me at the time.
Question. You were in charge of one of the ticket boxes there.

Answer. Yes, sir.
Question. By whom were you employed?
Answer. By Mr. Duncan.
Question. What is Mr. Duncan's full name.
Answer. Robert.
Question. Robert Duncan?
Answer. Yes, sir.
Question. Where does he live?
Answer. He lives in Thirtieth street, this side of Second avenue; I can't tell the number.
Question. Who was the person to disburse moneys for the expenses of that district?
Answer. Indeed I can't tell you that.
Question. Do you know whether Mr. Duncan paid any other expenses except your own?
Answer. I saw Mr. Duncan give out money to different ones.
Question. Do you know for what purpose, sir?
Answer. Well, I don't indeed; I didn't attend to his business as far as that, sir.
Question. Can you mention any person to whom he did pay money, and for what they were paid?
Answer. I don't know their names; I saw him giving them money; I couldn't say what for.
Question. Don't you know in any one instance?
Answer. Not to my knowledge. I don't know what it was for.
Question. What did you receive money from him for?
Answer. A day's labor.
Question. Nothing more?
Answer. That's all, sir.
Question. Do you know any one else who was charged with the duty of expending money there?
Answer. No, sir.

ROBERT EBLING.

Attest:

JNO. R. BRADY, *J. C. P.*

John Looram sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live, Mr. Looram?
Answer. 269 avenue A.
Question. Do you know what district that is of the Eighteenth ward?
Answer. I voted in the thirteenth district, corner of Twentieth street and First avenue.
Question. Did you see any soldiers' votes cast there on election day?
Answer. No; because I hadn't stopped there only when I was going in to vote. I keep a liquor store, and when I go out I have to shut up the door, and I never go out only a few minutes.
Question. Were you there when the votes were canvassed?
Answer. No. I might be detained half an hour's time to get in, but that's all.
Question. Did you see any votes thrown out there?
Answer. No; I seen one man challenged. I don't know whether he voted or not, while I was there.

JOHN LOORAM.

Attest: JNO. R. BRADY, *J. C. P.*

Jacob Kirchhof sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. Corner of First avenue and Thirtieth street, Phillip place.
Question. Did you vote on the 8th of November last?
Answer. Yes, sir.
Question. What ticket did you vote, the Union or democratic?
Answer. I voted the Union ticket, more of it; I am a democrat.
Question. Who did you vote for, for member of Congress?
Answer. For Mr. Dodge.

Mr. ANTHON:

Question. Do you read English?
Answer. No; I took the ticket, and took it home to my little girl, and took the tickets what I want. I voted for Mr. Dodge and Mr. Kelley.
Question. You looked at the ticket before you voted it?
Answer. Yes, sir.
Question. Who asked you to come down here to-night?
Answer. Mr. Burchell.

JACOB KIRCHHOF.

Attest: JNO. R. BRADY, *J. C. P.*

J. W. Addicks sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 441 Third avenue.
Question. Do you generally vote the democratic ticket, or the Union ticket?
Answer. I generally sort my tickets. I never vote the whole ticket through; I try to get the best man if there is any choice.
Question. Did you vote the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. Here, on the Second avenue—this street.
Question. Did you vote for member of Congress?
Answer. Yes, sir.
Question For whom?
Answer. I am not quite certain. I sorted my tickets the night previous, and a couple of sets lay on my desk, and I put them in my coat-pocket, and I didn't look at them when I came to the polls; and I couldn't swear to it who I voted for.
Question. Who did you intend to vote for?
(Objected to.)
Answer. Mr. Dodge.
Question. Did you put his ticket in the bundle of tickets?
Answer. Yes, sir.
Question. Do you believe that you voted for Mr. Dodge?
Answer. I think I did; there is no certainty about it; I have been thinking and thinking; I didn't look after I———
Question. But you swear that you intended, and believe that you voted for Mr. Dodge?
Answer. Yes, sir.

JOS. W. ADDICKS.

Attest: JNO. R. BRADY, *J. C. P.*

Frederick Welp sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. You live in the third district of the Twenty-first ward?
Answer. Yes, sir.
Question. Where?
Answer. I live at 431 Third avenue.
Question. Did you vote on the 8th of November?
Answer. Yes, sir.
Question. Where?
Answer. In Second avenue, corner of Thirty-first street.
Question. Who did you vote for, for member of Congress?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Where did you get your ticket?
Answer. Over in Ebbett Hall.
Question. Did you look at it before you voted it?
Answer. Yes, sir.
Question. Did you take any active part in the election?
Answer. I did.
Question. Do you know anything of any money being disbursed for election purposes in your district?
Answer. I have seen plenty of it in my district, but I didn't get any for my vote.
Question. Who was in charge of the money used for election purposes?
Answer. I got money from the German Republican Club. I think that was after the election, if I ain't mistaken.
Question. For what purpose was that?
Answer. To pay my bill.
Question. Do you know of any one else who spent money there for the purposes of the election?
Answer. I don't know of any.
Question. Do you know where the money came from?
Answer. I don't know where it came from. I know there was money spent for expenses, advertising, printing, paper, &c., but I don't know where it came from.
Question. You don't know of any being spent for any other purposes?
Answer. I believe for attending the polls.
Question. What do you mean by attending the polls?
Answer. Taking charge of the boxes and distributing tickets.

FREDERICK WELP.

Attest: JNO. R. BRADY, *J. C. P.*

Dominic Minnelli sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 116 East Thirty-first.
Question. Where did you vote on the 8th of November last?
Answer. At the corner of Second avenue and Thirty-first street.
Question. For whom did you vote for member of Congress?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Did you look at your ticket?
Answer. Oh! more than that; I looked and examined, and everything.
Question. So that you are sure?
Answer. I am sure, of course.

DOMINIC MINNELLI.

Attest: JNO. R. BRADY, *J. C. P.*

Robert Orr sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Mr. Orr, where do you live?
Answer. 122 East Thirty-first.
Question. Where did you vote on the 8th of November?
Answer. On the corner of Thirty-first and Second avenue.
Question. For whom did you vote for member of Congress?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Where did you get your ticket?
Answer. I got my ticket from the box-man, on the southwest corner of Second avenue and Thirty-first street.
Question. Did you open your ticket?
Answer. I did, sir.
Question. Examined it?
Answer. Yes, sir.
Question. And gave it to the chairman of the inspectors?
Answer. Yes, sir.
Question. Did you take any active part in the election there?
Answer. None at all, sir.

ROBERT ORR.

Attest: JNO. R. BRADY, *J. C. P.*

William Grogan sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 152. There ain't a number on the house, but it is between 150 and 154.
Question. What street?
Answer. Thirty-first street.
Question. Where did you vote on the 8th of November?
Answer. Just right on the opposite corner, sir.
Question. Did you vote for member of Congress?
Answer. Yes, sir.
Question. For whom?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Where did you get your ticket?
Answer. I got it from Mr. Tackerberry. I work there, and he gave it to me in Mr. Stevens's. They gave a good lot of republican tickets out. He asked me who would I vote for, and he told me "Here's a ticket for you."

Question. Were these tickets given to all the workmen?
Answer. No, sir; they wouldn't all take them.
Question. Did you look at your ticket after you had got it?
Answer. Yes, sir.
Question. When?
Answer. Just when I came in from my dinner. I read them out for my wife. She was acquainted with Mr. Dodge's family. She used to sew for his family, and she wanted me to vote for that ticket anyhow, she said.

WILLIAM GROGAN.

Attest: JNO. R. BRADY, *J. C. P.*

Lewis Patterson sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. I live 168 Thirty-first street.
Question. Did you vote on the 8th of November last?
Answer. I did.
Question. Did you vote the whole ticket?
Answer. Yes, sir; that was my intention. I went out in the morning, and asked for the whole republican ticket.
Question. Who did you ask for it?
Answer. Mr. Burchell.
Question. Did you vote the tickets that he gave you?
Answer. Yes, sir.
Question. How do you know they were all Union tickets?
Answer. Because I put great dependence in the men I got them from.
Question. Did you read them?
Answer. No; I did not read them.

Mr. WATERBURY:

Question. Where were you born?
Answer. In Ireland, I believe; at least they tell me so.
Question. When did you come to this country?
Answer. I came here in 1848, June 3.
Question. How old were you then?
Answer. Well, I guess I was about 16—a little over 16.
Question. When were you naturalized?
Answer. I came here under age. I got out my certificate when General Scott was running for President.
Question. In what court?
Answer. City Hall; I don't know what court.
Question. Before what judge?
Answer. That I can't tell.
Question. How long have you lived at 168 East Thirty-first street?
Answer. Since the 1st of May.
Question. Where did you live before that?
Answer. I lived in Eighth street.
Question. How long did you live there?
Answer. About two years.
Question. Did you have any bet depending on the election?
Answer. No, sir.
Question. Were you employed in the election in any capacity?
Answer. No, sir.

Question. Did you take any other part than to vote?
Answer. No, sir—just only voted.

LEWIS PATTERSON.

Attest: JNO. R. BRADY, *J. C. P.*

Philipp Schmitt sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. Third avenue.
Question. What number?
Answer. 433.
Question. Did you vote on the 8th of November last for member of Congress?
Answer. Yes, sir.
Question. Where did you vote?
Answer. I voted here in Second avenue.
Question. Whereabouts in Second avenue?
Answer. In Thirty-first street.
Question. For whom did you vote?
Answer. I voted republican.
Question. For what man did you vote for Congress?
Answer. Well, I don't know the name; they was all in one ticket.
Question. You voted the republican ticket?
Answer. Yes, sir.
Question. Who gave you your tickets?
Answer. Well, I got the tickets in the meeting; Mr. Marshall gave them to me.
Question. Do you belong to any republican association?
Answer. I work in the navy yard.
Question. Did you intend to vote the republican ticket?
Answer. I take them tickets, and vote them tickets.

Mr. WATERBURY:

Question. Did you read your ticket?
Answer. No, sir.
Question. Can you read English?
Answer. No, sir, I can't read English. I can read a little bit, but not much. My shilder can read English.
Question. Have you been naturalized? Have you taken out your papers?
Answer. My papers; yes, sir.
Question. How long since?
Answer. I got them about six or seven years.
Question. Between what streets is 433 Third avenue?
Answer. Between Thirty-first and Thirty-second streets.
Question. How long have you lived there?
Answer. Seven years.
Question. How long have you been in the United States?
Answer. Well, I came in 1848, the 1st of August.

Mr. PHELPS:

Question. Did you intend to vote the republican ticket?
Answer. I can't understand right. He gave me these tickets. I work in the navy yard.

PHILIPP SCHMITT.

Attest: JNO. R. BRADY, *J. C. P.*

Hermann Harjes sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live, Mr. Harjes?
Answer. The new number is 563 Second avenue.
Question. What is the old?
Answer. 499.
Question. Did you just now see your name upon that notice of witnesses which was in Mr. Waterbury's hand?
Answer. Yes, sir.
Question. It seemed to you written all right?
Answer. Yes, sir; there's my name showing correct.
Question. Would you know that for your name?
Answer. Yes, sir.
Question. Did you vote on the 8th of November?
Answer. Yes, sir.
Question. Where did you vote?
Answer. I vote here, corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?
Answer. Yes, sir.
Question. For whom?
Answer. For Mr. Dodge.

Mr. WATERBURY:

Question. Where were you born?
Answer. In Germany.
Question. When did you come to this country?
Answer. 1849.
Question. When were you naturalized?
Answer. Ten years ago, as soon as I was twenty-one; I am thirty-one now.
Question. What time in the year 1849 were you naturalized?
Answer. It was ten years ago—that is, 1855. As soon as I was twenty-one I took out my full papers; I didn't have the first papers at all.
Question. When were you twenty-one?
Answer. Ten years ago.
Question. What was your birthday?
Answer. The 4th of June, I believe.
Question. What day were you naturalized?
Answer. I could not tell the day.
Question. What month?
Answer. Nor the month neither; but the year was 1855; I could not tell the day.
Question. What court?
Answer. Down in the city hall, where we get our papers out.
Question. What judge?
Answer. I could not tell you; I got my papers home.
Question. Did you read your tickets before you voted?
Answer. Yes, sir.
Question. Did you read Mr. Dodge's name on the Congress ticket?
Answer. I did.
Question. How long have you lived at 563 Second avenue?
Answer. Over five years now.
Question. Did you make any bet on the last election?
Answer. No, sir; I didn't make no bet at all.
Question. Did you take an active part in the election?
Answer. No, sir.

Question. Did you do anything more than vote?

Answer. No; I didn't do much more than vote; I told them to vote the same ticket, that's all, if anybody came and asked me what ticket I voted.

Question. Did you spend any money in the election?

Answer. No, sir. Well, if I met a friend of mine I might have treated him; but I didn't spend any other money.

Question. Did you receive any money?

Answer. No, sir.

H. HARJES.

Attest:

JNO. R. BRADY, *J. C. P.*

Andrew B. Corsa sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 433 Third avenue.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where?

Answer. Corner of Thirty-first street and Second avenue.

Question. For whom?

Answer. Mr. Dodge.

Mr. ANTHON:

Question. Where did you get your ticket?

Answer. In Fourth avenue, at the Republican Association room.

Question. Did you look at it after you got it?

Answer. Yes, a number of times, I think.

Question. The inside of it?

Answer. I supposed if I looked at the outside I looked at the inside.

Question. Did you look at the inside?

Answer. Yes, sir.

Question. Did you take any active part in the election?

Answer. Well, I took just such an active part as this: I voted and walked away; I thought it was my duty.

Question. Did you bet on the election?

Answer. No, sir; I am not a betting man.

Question. How long have you resided in the place where you at present live?

Answer. About four years and six months; it will be five years next August.

A. B. CORSA.

Attest:

JNO. R. BRADY, *J. C. P.*

Henry Maxwell sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Residence, Mr. Maxwell?

Answer. 151 East Thirty-first street.

Question. You voted on the 8th of November last?

Answer. Yes, sir.

Question. Where?
Answer. Northeast corner of Second avenue.
Question. And what street?
Answer. Thirty-first street.
Question. Did you vote for member of Congress?
Answer. I did.
Question. For whom did you vote?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you examine your ticket before voting?
Answer. Yes, sir; I always do.
Question. How long have you lived where you are now living?
Answer. About twelve years.
Question. Had you taken any active part in the election other than voting
Answer. I don't understand what you mean by that.
Question. Did you do anything more in reference to the election than voting?
Answer. I gave tickets to several persons that asked me for them.
Question. Anything more than that?
Answer. No, sir.
Question. Did you make any bets on the election?
Answer. No, sir; I am not a betting man. I don't think it furthers a cause at all to bet.
Question. Do you belong to any of the republican associations of the ward?
Answer. I belong to the Citizens' Association.
Question. Do you know of any money being spent for the purposes of the election in that district?
Answer. No, sir.
Question. Have no knowledge of the disbursing agents in that district?
Answer. No, sir; if there is such a ring as that I don't know anything about it.
Question. Were you present at any meeting of the Citizens' Association in reference to the election of Dodge and Brooks?
Answer. No, sir.
Question. Nor at any meeting of any kind in reference to that subject?
Answer. No, sir; this is the first I have attended.

Mr. PHELPS:

Question. You said that you gave tickets to some citizens to vote. Could you recollect just now any of their names?
Answer. I could, sir. I gave a ticket to Mr. Bragdon, who is boatswain in the navy yard, and lives in 145 Thirty-first street. He did not know anything about the locality, being a stranger just come up from Pensacola, and he called upon me and I gave him the ticket.
Question. Do you remember any others?
Answer. I can't recall to mind any others. I think I did to Mr. Cotton, in the same street.

Mr. WATERBURY:

Question. Where did Mr. Bragdon live before he went to Pensacola?
Answer. At 145 Thirty-first street. He was living there three or four years.
Question. Where was he born? Do you know?
Answer. He is an American-born citizen.
Question. How long had he been away to Pensacola?
Answer. I can't say how long he had been away.

HENRY MAXWELL.

Attest:

JNO. R. BRADY, *J. C. P.*

Archibald Matthews sworn. (Objected to. See page 10)

Mr. PHELPS:

Question. Where do you live?
Answer. At 153 East Thirty-first street.
Question. You have a brother, George Matthews?
Answer. Yes, sir; one William also. William, George, and myself all voted.
Question. Is George here now?
Answer. George has just arrived in the city about an hour ago.
Question. Was he here on the 8th of November last?
Answer. No, sir.
Question. Was William here?
Answer. No, sir; they both sent their tickets, one of them to Henry Maxwell and the other to Mr. Philip Ketchum, Thirty-first street—I don't know the number.
Question. To Henry Maxwell, the father?
Answer. No, sir; the son.
Question. Do you know if their votes were deposited in the ballot-boxes of this third district?
Answer. I can't say for certain.
Question. Do you know what tickets they voted?
Answer. I can't say for certain, but I believe it to be the republican ticket.
Question. Are they republicans always?
Answer. They always have been and are now—have been for years.
Question. You were here on the 8th of November?
Answer. Yes, sir.
Question. You voted for member of Congress?
Answer. Yes, sir.
Question. In the district where you reside?
Answer. Yes, sir.
Question. For whom did you vote?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Do you belong to any republican association?
Answer. I belong to the Citizens' Association.
Question. Not to any republican association?
Answer. No, sir; none other than that.
Question. Did you do anything more than vote in that election?
Answer. No, sir.
Question. Didn't take any part in the electioneering which preceded it?
Answer. No, sir.
Question. Did you examine your ticket before you voted?
Answer. Yes, sir, thoroughly; I always do.
Question. Do you know whether your brothers were McClellan men or not?
Answer. Yes, sir; they were Lincoln men. One of them is in the city—I might bring him in—George Matthews.

ARCH'D MATTHEWS.

Attest:

JNO. R. BRADY, *J. C. P.*

Henry A Maxwell sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live, Mr. Maxwell?

Answer. When home I did live 115 East Twenty-fifth street.

Question. What district is that?

Answer. I don't know what district it is in; it is in the Eigtheenth ward.

Question. Did you bring home with you any soldiers' votes?

Answer. I did not, sir.

Question. Had you any soldiers' votes sent you which you deposited in this third district, Twenty-first ward?

Answer. I deposited one soldier's vote at the corner of Thirty-first street and Second avenue.

Question. Whose vote was it?

Answer. George Matthews, of the 59th New York volunteers.

Question. Do you know the politics of George Matthews?

Answer. I know that he was always a republican since I remember him.

Question. Do you know the tickets that you brought home and deposited for him?

Answer. I don't know, sir. They were sealed up in an envelope; I did not open it.

Question. Did you ever know him to vote any other ticket than the republican?

Answer. I never knew him to vote before.

Question. Do you know him to be a republican?

Answer. I know him to be a republican; yes, sir.

Question. Did you ever hear him say which way he intended to vote? (Objected to.)

Answer. I did, sir.

Question. Did you hear him say for whom he intended to vote for member of Congress?

Answer. I did not.

Mr. WATERBURY:

Question. How long before the election did you receive his vote?

Answer. I think about ten days, to the best of my knowledge.

Question. Did you ever hear him express himself in regard to General McClellan?

Answer. No, I can't say that I did. I heard all the men express themselves more or less while General McClellan commanded the army—a good deal in favor of him.

Question. Do you know how Mr. Matthews felt in regard to General McClellan?

Answer. No, sir. I never heard him express himself, that I remember. I can't remember perfectly.

Question. Do you remember hearing him express himself in regard to Mr. Lincoln?

Answer. I remember him expressing himself in regard to Mr. Lincoln, that he would vote for him.

Question. Did not persons in the army prefer that it should be understood that they were for Lincoln?

Answer. Some of them, sir.

Question. Do you think, from your observation, that the fact that a man was understood to be for Lincoln made it sure that he would vote for him?

Answer. I don't know; I can't say that.

H. A. MAXWELL.

Attest: JNO. R. BRADY, *J. C. P.*

J. H. Wormsley sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 429 Third avenue.
Question. Where did you vote on the 8th of November?
Answer. Northeast corner of Thirty-first street and Second avenue.
Question. For whom did you vote for member of Congress?
Answer. William E. Dodge.

Mr. WATERBURY:

Question. How long have you lived at this place?
Answer. I lived there since May, 1863.
Question. Where did you live previous to that?
Answer. 415 Third avenue.
Question. How long had you lived there?
Answer. Five years.
Question. Where were you born?
Answer. Ireland.
Question. How long have you been in this country?
Answer. Sixteen years.
Question. When were you naturalized?
Answer. Last June.
Question. Who did you get your tickets from?
Answer. I got them; Robert Duncan, I believe, gave them to me.
Question. Are you sure?
Answer. Certain.
Question. Did you read your tickets?
Answer. Yes, sir, I did.
Question. Do you know you voted for Mr. Dodge?
Answer. Yes, sir; I do.
Question. Any bet on the election?
Answer. No, sir; I am not a betting character.
Question. Did you take an active part in the election?
Answer. No, sir.
Question. Did you do anything more than vote?
Answer. Nothing more than vote.

J. H. WORMSLEY.

Attest: JNO. R. BRADY, *J. C. P.*

Thomas Labagh sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 149 East Thirty-first street.
Question. Have you a brother lives there with you?
Answer. I have, sir; a brother Isaac.
Question, Is your brother Isaac ill to-night?
Answer. Not himself, but there is sickness in the family.
Question. Did you vote on the 8th of November?
Answer. I did, sir; both myself and brother.
Question. Where?
Answer. Northeast corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?

Answer. I did.
Question. For whom did you vote?
Answer. For William E. Dodge.
Question. Do you know how your brother voted?
Answer. He voted the same ticket.

Mr. WATERBURY:

Question. Who did you get your tickets of?
Answer. I got them from one of the republican boxes on Second No particular person.
Question. Did you read your tickets over before you voted?
Answer. Certainly; I am not in the habit of voting without reading vote.
Question. You know you voted for Mr. Dodge?
Answer. Yes, sir. I put in that ticket—at least it left my hands.
Question. You gave it to the inspectors of election?
Answer. I did.
Question. Did you read your brother's ticket before he voted?
Answer. Yes, sir.
Question. Did you read the inside of it?
Answer. I did; yes, sir; I examined his and he saw mine.
Question. You know that he voted for Mr. Dodge?
Answer. Yes, sir.
Question. You are a native of this country, I believe.
Answer. I believe I am, sir. I come from 1664 only—have reco there.
Question. Did you take an active part in the election?
Answer. Nothing more than to put in the vote.
Question. And see that your brother put his in?
Answer. I did, sir.
Question. Are you a member of the Republican Association?
Answer. Yes, sir.
Question. Who was the disbursing agent of that association at the l tion?
Answer. That's more than I can tell. I merely made myself a mem that's all; I hav'nt been there since.
Question. Did you have any bet on the election?
Answer. No, sir; I don't belong to the generation; I believe Mr. Dc speak for that.

THOS. LAB.

Attest: JNO. R. BRADY, *J.*

Albert G. Havens sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Did you give your residence?
Answer. 142 East Thirty-first street.
Question. Have you a son?
Answer. I have a step-son.
Question. A Mr. Parker?
Answer. Charles G. Parker.
Question. What regiment is he in?
Answer. The fifth veteran.

Question. Was he here on the 8th of November last?
Answer. He was.
Question. Did he vote?
Answer. Yes, sir.
Question. Where?
Answer. He voted at this poll here, at the corner of Thirty-first street and Second avenue.
Question. Do you know how Lieutenant Parker voted?
Answer. I can tell you if you will allow me to state it. He was home on furlough, and at the day of election he asked me if he could vote, that he hadn't been home to register. I told him that I supposed that he could; then he asked me if I could procure him tickets; I did so, and gave them to him, and he went to the poll with me, and went just before me, stood just the same as behind that man, (indicating,) and voted, I suppose, the votes that I gave him.
Question. Do you know what his political sentiments are?
Answer. Well, they are what we used to call whig—republican.
Question. I mean as at the present time?
Answer. He asked me if I could get him a republican ticket, what we call a republican ticket.
Question. When did you give him his tickets, Mr. Havens?
Answer. I gave them to him when we were going on at the end of the line; he was standing by me at the time.
Question. Did you see him throw away the tickets, and take others than those that you gave him?
Answer. No, sir.
Question. Do you believe that he put in those tickets that you gave him?
Answer. I can say, according to the best of my knowledge and belief, he did so, but there is a great many tricks in this putting in.
Question. Do you suppose he would be a man to do such tricks?
Answer. No, sir; he is a reliable man.
Question. You voted yourself on that occasion?
Answer. Yes, sir.
Question. For whom did you vote?
Answer. Well, I voted for William E. Dodge for Congress.
Question. Do you know how your son voted?
Answer. Well, we took the tickets together, and compared them, the three set—that is, Mr. Parker, and my son, and myself.
Question. Mr. Havens is your son?
Answer. Yes, sir.
Question. What are his initials?
Answer. J. N. Havens.
Question. Is he a republican?
Answer. He professes to be, sir; yes, sir.
Question. Did he vote in the line with you and Mr. Parker?
Answer. I don't think that he was exactly with us; he voted about the same time, but not exactly at the same time.
Question. Is your son, J. N. Havens, in town?
Answer. Yes, sir; he was home to-night, that is, early in the evening, and went out.

Mr. WATERBURY:

Question. Did you read your ticket before you voted?
Answer. Yes, sir; I invariably do so, and I did on this occasion.
Question. Did you ever hear Lieutenant Parker express himself in relation to General McClellan?

Answer. I don't know that I ever did; I don't seem to recollect; I think he was in McClellan's army.

Question. Do you know whether he had a favorable opinion of General McClellan or not.

Answer. I never heard him say anything in detriment to General McClellan.

Question. Did you ever hear him say anything in his favor?

Answer. No, sir; I never heard him express himself one way nor the other in regard to General McClellan, that I recollect. He may have done so, but I don't call it to mind just now, sir.

Question. Can you say for whom he voted for any office?

Answer. I can say accordingly to the best of my knowledge and belief.

Question, Absolutely, can you say, of your knowledge, for whom he voted?

Answer. Well, I think that would be saying too much.

Mr. PHELPS:

Question. Don't you believe yourself that he did vote the tickets that you gave him?

Answer. I certainly believe so.

A. G. HAVENS.

Attest:

JNO. R. BRADY, *J. C. P.*

George Matthews sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live, Mr. Matthews?

Answer. 153 Thirty-first street, when I am home.

Question. Were you home on the 8th of November last?

Answer. No, sir.

Question. Did you send your votes home?

Answer. Yes, sir, previous to that time.

Question. To whom did you send them?

Answer. To Captain Henry Maxwell.

Question. Do you know what votes you sent him—for whom they were?

Answer. I don't remember the full ticket; I don't exactly know.

Question. Did you vote the whole ticket?

Answer. As far as I was able.

Question. Did you vote for member of Congress?

Answer. That I don't remember. There was a number that I didn't vote for, because it was impossible to get tickets. Who among that number I didn't get tickets for I don't recollect; Captain Maxwell may remember; he seen my tickets, I suppose, when he deposited them.

Question. You don't remember whether you had a congressional ticket in there?

Answer. No, sir, I couldn't say.

Question. Were all the ballots that you had in there republican?

Answer. Yes, sir.

Mr. WATERBURY:

Question. If there were two republican candidates, would you know for which of them you voted?

Answer. No, sir, I would not.

Question. Did you hear who were candidates for Congress?

Answer. I heard one name mentioned; that was about all in this district.
Question. Did you hear of Mr. Manierre, the provost marshal of this district?
Answer. No, sir.

GEORGE MATTHEWS.

Attest:

JOHN R. BRADY, *J. C. P.*

James Fettretch sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 117 East Thirtieth street.
Question. Did you vote for member of Congress at the last election?
Answer. Yes, sir.
Question. Where did you vote?
Answer. I voted at Second avenue, corner of Thirty-first street.
Question. For whom did you vote?
Answer. Mr. Dodge.

Mr. WATERBURY:

Question. Where did you get your tickets?
Answer. I got them in a box.
Question. Did you read them before you voted?
Answer. I did, sir.
Question. Did you vote a full set of tickets?
Answer. Yes, sir.
Question. Read them all through?
Answer. Yes, sir.
Question. How long have you resided where you do now?
Answer. I should think about three years or four.
Question. Where did you reside before you lived there?
Answer. Second avenue.
Question. How long have you lived in this city?
Answer. About fifteen years.
Question. Any bet on the result of the election?
Answer. No, sir.
Question. No way?
Answer. No, sir.

JAMES FETTRETCH.

Attest:

JOHN R. BRADY. *J. C. P.*

John Morgan sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 435 Third avenue.
Question. State whether you voted on the 8th of November last for member of Congress?
Answer. I did.
Question. Where?

Answer. Corner of Second avenue and Thirty-first street.
Question. For whom?
Answer. William E. Dodge for Congress.
Question. Do you know a voter of this ward by the name of Robertson?
Answer. Yes, sir.
Question. Do you know if he voted?
Answer. Yes, sir.
Question. Do you know for whom he voted for member of Congress?
Answer. Well, I was with him at the time he got his ticket, and we compared our tickets together, and both went up to the polls together, and he put in his tickets right after mine.
Question. Do you know what his initials are?
Answer. William is the first name; I don't know whether he has got any middle name or not.
Question. Do you know what his residence is?
Answer. At that time he boarded with me at 435 Third avenue.
Question. Does he generally vote the republican ticket?
Answer. Yes, sir.
Question. Do you know if he is in the city now?
Answer. He is not, now.
Question. Where is he?
Answer. Pennsylvania; he went out last week.

Mr. ANTHON:

Question. Did you belong to any republican association in the ward or district?
Answer. Yes, sir; Twenty-first ward.
Question. Do you know who attended to the money matters of that district?
Answer. No, I did not.
Question. Ever attend any meeting in reference to raising money for the election?
Answer. No, sir.
Question. Did you see Mr. Robertson put his ballot in the box?
Answer. Yes, sir.
Question. Where did you compare your tickets with his?
Answer. As soon as we got them; on the sidewalk.
Question. How long after that was it before Robertson voted?
Answer. Perhaps ten minutes.
Question. Did you see him during all that time?
Answer. Yes, sir; I was with him all the time.
Question. How near was he standing to you?
Answer. He was right behind me.
Question. Can you swear positively that he put the same ticket in the box that you compared with him?
Answer. To the best of my knowledge.
Question. Can you swear positively?
Answer. I would not swear positively; he had them in his hand, and I didn't see him change them in any way.
Question. Could he have changed that ballot without your seeing him?
Answer. He might have, but I didn't see him get any others. He asked me "Where shall we get our tickets?" "Well," says I, "we'll go to the box and get them."
Question. Have you ever seen him vote before?
Answer. No, sir.
Question. Had you any bet depending on that election?
Answer. No, sir.

Mr. PHELPS:

Question. Did Mr. Robertson make any remark as to his voting when he left the polls?

Answer. Yes, sir; he said "There's two straight republican tickets in the box; it will count two, any way."

JOHN MORGAN.

Attest: JOHN A. BRADY, *J. C. P.*

Frederick Zittel sworn. (Objected to. See page 10. Also objected to as not being on the witness's list. Excluded.)

Friedrich Hunzinger sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 579 Second avenue.

Question. Did you live there on the 8th of November last?

Answer. I did, sir.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. I did, sir.

Question. Where?

Answer. Corner Second avenue and Thirty-first street.

Question. For whom?

Answer. William E. Dodge.

Mr. ANTHON:

Question. Do you read English?

Answer. I do, a little of it.

Question. Did you read your ticket?

Answer. I did, sir.

Question. Do you remember seeing what name was on it?

Answer. I did.

Question. Where did you take out your papers?

Answer. In the city hall.

Question. When?

Answer. Oh! when? 1854.

Question. How long had you been in the country?

Answer. Twenty years.

Question. Are you a member of any republican association in the ward?

Answer. I am.

Question. Did you attend any meeting in reference to raising money for the election?

Answer. No.

Question. Do you ever bet on elections?

Answer. No, sir.

Question. Not even lager?

Answer. No, sir; that's not my policy.

Question. At what age were you naturalized?

Answer. I was about twenty-nine.

Question. Do you remember how old you were when you came to this country?

Answer. Between twenty and twenty-one.

Question. You remember in what court, or before what judge, you were naturalized?

Answer. No; that I cannot remember exactly.

FRIEDRICH HUNZINGER.

Attest: JOHN R. BRADY, *J. C. P.*

William F. Geisse sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside?

Answer. 133 East Thirty-first street.

Question. Did a man named Matthews ever live in that same house where you do?

Answer. I can't speak with regard to that exactly; he hasn't lived there within three years.

Question. Do you know that one Matthews is represented by the poll-list of the district to have voted from the same number?

Answer. I have understood so.

Question. Are you willing to swear that during the last three years no Matthews has lived in that house?

Answer. I am.

Question. Well, Mr. Geisse, did you vote for a member of Congress on the 8th of November?

Answer. I voted everything with the exception of one, which was inspector of elections, I believe. I think that was voted for. I found myself at the polls without that.

Question. Is there such an office as inspector of elections?

Answer. I think it was inspector of elections; I could tell if I saw the list.

Question. Do you know that you voted for member of Congress?

Answer. I do.

Question. For whom did you vote?

Answer. I voted for Dodge.

Question. Where did you vote?

Answer. I voted at the corner of Thirty-first street and Second avenue, the northeast corner.

Mr. ANTHON:

Question. Is 133 the old or the new number?

Answer. It has been the number for three years that I have resided there.

Question. You haven't seen the poll-list, have you?

Answer. I haven't seen the poll-list, except at the time that I registered.

Question. Then you didn't see this other name there that you speak of?

Answer. I didn't swear to its being there; I said I had understood that it was there.

Question. Did you read your ticket, Mr. Geisse?

Answer. I did, sir. I never vote without reading them.

Question. Are you a member of the Republican Association?

Answer. I am a member of no association whatever; I voted the republican ticket, and have since the war commenced.

WM. F. GEISSE.

Attest: JNO. R. BRADY, *J. C. P.*

John Roche sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live, Mr. Roche?
Answer. 164 East Thirty-first street.
Question. Has it any other number?
Answer. I don't know, sir.
Question. Did you vote on the 8th of November last?
Answer. I did, sir.
Question. For member of Congress?
Answer. I believe I did.
Question. Where did you vote?
Answer. Thirty-first street and Second avenue.
Question. Who gave you your ticket?
Answer. I got some in the box, and I got some from Mr. Burchell.
Question. Did you vote those tickets that Mr. Burchell gave you?
Answer. I can't swear positively that I did.. I had some tickets mixed with them from the evening previous; he gave me tickets to vote for Mr. Dodge. He told me he was a good man to vote for, and I gave one to my boy.
Question. What's your boy's name?
Answer. Thomas Roche.
Question. Do you know if he voted for Mr. Dodge?
Answer. He told me he would if I gave him the ticket.
Question. Did you tell Mr. Burchell that you would vote for Mr. Dodge?
Answer. I told him that if he would vote for McClellan, I would vote for Mr. Dodge.
Question. Do you think that you carried out your bargain?
Answer. I did, to the best of my knowledge.

Mr. ANTHON:

Question. Did you read the ticket that Mr. Burchell gave you?
Answer. I did, sir.
Question. Did you read the one that you voted?
Answer. I seen Mr. Dodge's name on the one Mr. Burchell gave me.
Question. Did you read the one that you gave to the inspector?
Answer. I didn't, 'pon my word.
Question. You voted for McClellan?
Answer. I did, sir, and would to-morrow if he was up again.

Mr. WATERBURY:

Question. Did Mr. Burchell tell you that he would vote for McClellan if you voted for Dodge?
Answer. To the best of my belief he did say that he would. I think he said "that's a bargain," or something like that.

Mr. PHELPS:

Question. Can you swear that Mr. Burchell said that he would vote for McClellan?
Answer. I can't positively.
Question. You said one minute ago that he did say so?
Answer. I can't recollect as well what he did say, but he laughed at it when I asked him the question. I told him my boy's speaking so good of Mr. Dodge, I had determined to vote for him.
Question. Did you vote for Mr. Dodge?
Answer. I can't swear it was positively, but it was my inclination.

Mr. WATERBURY:

Question. Did you have a set of democratic tickets?
Answer. I had, sir.
Question. Did you have a full set of McClellan tickets?
Answer. I had a fist full of them; yes, sir.

Mr. PHELPS:

Question. Do you know what a full set of democratic tickets is?
Answer. I mean a bunch; those made up in bunches.
Question. Do you know if they had any member of Congress among them?
Answer. I didn't examine them; I hadn't time.
Question. Had you any other tickets except McClellan tickets?
Answer. I had the tickets Mr. Burchell gave me.
Question. Had you any others besides McClellan tickets and the tickets Mr. Burchell gave you?
Answer. I didn't examine them.

Mr. WATERBURY:

Question. Where did you get the McClellan tickets you had?
Answer. I got some from the alderman.
Question. What alderman?
Answer. O'Brien.
Question. Who else did you get them from?
Answer. I don't recollect. I believe I got some from the box.
Question. From the McClellan boxes?
Answer. Yes, sir; I always do vote that ticket.

JOHN ROCHE.

Attest: JNO. R. BRADY, *J. C. P.*

Frederick Martin Flesche sworn. (Objected to. See page 10. Also objected to as not being on the witness's list correctly.)

Mr. PHELPS:

Question. Where do you live?
Answer. 551 Second avenue.
Question. How do you spell your name?
Answer. F-l-e-s-c-h-e; it is often called Fletcher.
Question. Is your name spelt in various ways?
Answer. Yes, sir; if you make them spell it, they do it right; but if you pronounce it, they never do it right; I never saw any one do it; it is impossible for an American to do it.
Question. Did you vote for member of Congress?
Answer. I did, sir.
Question. Where?
Answer. At the corner of Second avenue and Thirty-first street.
Question. For whom did you vote?
Answer. For Mr. Dodge.
Question. Do you read English, Mr. Flesche?
Answer. I think I do.
Question. You are sure?
Answer. I am sure; yes, sir.
Question. Where did you get your tickets to vote?
Answer. I got them from the German Association.

Question. When did you get them?
Answer. Night before election.
Question. What did you do with them when you brought them home?
Answer. Laid them down, so as to use them next morning.
Question. Where did you lay them down?
Answer. In my pocket.
Question. Then you didn't lay them down.
Answer. Ain't that a place to lay down?
Question. Did you read your ticket before voting?
Answer. Certainly I did; any man has to do so.
Question. When did you read it?
Answer. Before I gave it; the same morning.
Question. On the morning before the election?
Answer. Yes; right at the poll, before I gave it in.
Question. When were you naturalized? When did you take out your citizen's papers?
Answer. About ten years ago.
Question. And how long have you been living in the place where you now reside?
Answer. About two years.
Question. Had been living there a year or more before the election?
Answer. Yes, sir.
Question. Did you attend any meeting of the German Association about raising money for the election?
Answer. No, sir; nothing of the kind.
Question. Do you know who the persons were who spent money for the republicans in that district?
Answer. No, sir.

F. M. FLESCHE.

Attest: JNO. R. BRADY, *J. C. P.*

John M. Hyde sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 158 East Thirty-first street.
Question. Did you vote for member of Congress at the last election?
Answer. Yes, sir.
Question. Where?
Answer. Thirty-first street and Second avenue?
Question. For whom did you vote?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Did you read your ticket?
Answer. Yes, sir.
Question. When?
Answer. On the morning of election, immediately before voting.
Question. Where did you get it?
Answer. I took it from the box, and went three times before I could get it in.
Question. And you read it in the box?
Answer. Yes, sir; and I read it in my hands before I gave it to the inspector.

Question. Were you a member of the Republican Association before that?
Answer. No, sir; I had been in the service before that, in the navy.
Question. Had you been betting on that election?
Answer. No, sir.

JOHN M. HYDE.

Attest: JNO. R. BRADY, *J. C. P.*

Nathaniel Burchell sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 150 East Thirty-first street.
Question. Did you vote on the 8th of November last for member of Congress
Answer. I did, sir.
Question. Where did you vote?
Answer. At the corner of Second avenue and Thirty-first street.
Question. Who did you vote for?
Answer. I voted for Mr. William E. Dodge for member of Congress.
Question. Have you lived in this district a long time?
Answer. I have, sir.
Question. What has been your business and employment here?
Answer. I have been a real estate agent since I lived here.
Question. When you first came here, who was the owner of most of the real estate in the district?
Answer. Around that quarter, Mr. William E. Dodge was the owner of it pretty much.
Question. Was he owner in his own right, or as an executor of an estate?
Answer. As executor, I think.
Question. As such executor, did he erect, or cause to be erected, most of the houses in the district?
Answer. I believe all the lots were bought of Mr. Dodge, and he generally was in the habit of giving loans; they were built in that way.
Question. Would his connexion with real estate have brought him in contact considerably with the residents of the district?
Answer. I should think so; and it was my impression at the time that Mr. Dodge would poll a great many more votes than he did, because I knew a great many that voted the McClellan ticket that I supposed would vote for Mr. Dodge.
Question. Do you know many who voted the McClellan ticket who did vote for him? If you were asked, could you name any such?
Answer. I do.
Question. Do you believe there were many democrats who voted for Mr. Dodge?
Answer. There were four or five, to my knowledge?
Question. Do you believe there were more?
Answer. I believe there were; a number of others said they would vote for him; whether they did or not, I don't know.
Question. Have you an extensive acquaintance in the district?
Answer. Yes, sir.
Question. How was that acquaintance created?
Answer. My connexion with the people as agent.
Question. What were your duties as agent?
Answer. Renting property and collecting rents.
Question. From your intimate knowledge of the people, derived from your

duties as such agent, would you give it as your opinion that Mr. Dodge was a popular, or unpopular, person?

Answer. Popular, I should say; I never heard a man speaking against Mr. Dodge in my life.

Question. Was he a kind landlord?

Answer. A kind landlord; the easiest paid man; I have paid him considerable money as interest on mortgages, and he is easy paid.

Question. Do you know what vote Mr. Dodge got in this district, or about what?

Answer. 136 votes, I believe, or 133; I can't tell now exactly.

Question. Did he run ahead or behind the electoral ticket?

Answer. He run behind it.

Question. Did you expect he would run behind it?

Answer. No, I did not, because a great many voted for McClellan which I heard say would vote for Mr. Dodge.

Question. Did you hear any republican say he would not vote for Mr. Dodge?

Answer. No, sir.

Question. Do you think any republican who voted at all failed to vote for Mr. Dodge?

Answer. There was only one man, which I considered was a republican, and which didn't vote for him in the entire district, which I am acquainted with. I know pretty much the whole of them, and that's the only one that I know of.

Question. Do you remember who of our witnesses to-night said they got their tickets from you?

Answer. Yes; Roche.

Question. What tickets did you give Mr. Roche?

Answer. I asked him to vote for Mr. Dodge, and he said he would; I gave him a congressional ticket, and he said he would vote it.

Question. Do you remember giving them to any other witnesses that we have had up?

Answer. I do.

Question. Can you mention their names?

Answer. There is Smith.

Question. Which Smith?

Answer. Francis Smith, and Mahar, and Mackey, and Tully, and Patterson.

Question. Can you think of any others just now?

Answer. No, sir.

Mr. WATERBURY:

Question. What is the name of that republican that wouldn't vote for Mr. Dodge?

Answer. Cotton.

Question. What is his first name?

Answer. I can't tell you, sir.

Question. Where does he live?

Answer. He lives 153—I think that's the number—149 Thirty-third street.

Question. What's the name of the democrats living in that district who said they would vote for Dodge?

Answer. I have stated them to Mr. Phelps. John Tully was one, and Mackey.

Question. Where does Tully live?

Answer. 150 East Thirty-first street.

Question. Who else?

Answer. Mackey.

Question. What is his first name?

Answer. Thomas, I think.

Question. Where does he live?
Answer. 150 East Thirty-first street.
Question. Who else?
Answer. John Roche.
Question. Who else?
Answer. Thomas Roche.
Question. Who else?
Answer. Francis Smith.
Question. Where does he live?
Answer. 166 East Thirty-first street.
(The further examination of this witness was postponed.)

James Wiley sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 439 Third avenue, between Thirty-first and Thirty-second streets.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. At the northeast corner of Thirty-first street and Second avenue.
Question. For whom did you vote?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Did you take any active part in the election
Answer. I did not. Just simply voted; that's all.
Question. Did you look at your ticket before voting?
Answer. I did, sir.
Question. And handed it to the inspectors of election?
Answer. I did, sir.

JAMES WILEY.

Attest: JOHN R. BRADY, *J. C. P.*

Adjourned to Thursday, March 1, 1865, at 7 o'clock p. m.

THURSDAY, *March* 2, 1865.

A. J. Winterton sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 319 East Thirtieth street.
Question. Did you vote from there on the 8th of November last?
Answer. Yes, I voted from there.
Question. Where did you vote?
Answer. I voted at the corner of Second avenue and Thirty-first street.
Question. Did you vote for member of Congress?
Answer. Yes, sir; I voted the whole ticket.

Mr. ANTHON:

Question. Are you sure you voted for member of Congress?

Answer. Yes, sir.

Question. Have you any knowledge other than the fact that you voted the full ticket?

Answer. Well, I came some 2,000 miles to vote, and I voted for Mr. Dodge, I am sure. I came from Minnesota.

Question. How long had you been in Minnesota?

Answer. I went down travelling on a pleasure trip.

Question. How long?

Answer. Some two or three months.

Question. Where had you resided previous to that?

Answer. 319 East Thirtieth street; I lived there for two and a half years previous.

Question. Do you hire a house there or own it?

Answer. I hire the house.

Question. Did you look at your tickets before you voted them?

Answer. Yes, sir.

Question. All of them?

Answer. Yes, sir.

Question. When did you do that?

Answer. It was in the morning; I voted in the afternoon about two o'clock.

Question. In the morning of election day?

Answer Just before coming to the polls. I stood about an hour and a half at the polls before I got the vote in.

Question. What hour was it that you voted?

Answer. I think it was about two o'clock.

Question. Are you a member of the republican organization?

Answer. Not any, sir.

Question. You still reside in the same place?

Answer. Yes, sir.

Question. Where is your business?

Answer. 69 Wall street.

A. J. WINTERTON.

Attest: JOHN R. BRADY, *J. C. P.*

Henry Maxwell, recalled.

Mr. PHELPS:

Question. Mr. Maxwell, I have recalled you, if you can tell me the name of any party who voted for Mr. Dodge at the November election?

(Objected to.)

Answer. I recollect the name of Jerome Chappell.

Question. Where did Mr. Jerome Chappell live?

Answer. 138 Thirty-first street.

Question. Is Mr. Chappell in town now?

Answer. He is not, sir.

Question. Where is he?

Answer. In the army of the Potomac, sir.

Question. Did he vote on the 8th of November last, in this district?

Answer. He did, sir.

Question. How do you know that he voted here?

Answer. I went for him to his room, and brought him down stairs, wh was going to vote. We stood together in the line; I gave him his ticket, I had to swear for him—that he was here ten days before the election.

Question. Did you give him a ticket for member of Congress?

Answer. I did, sir.

Question. What ticket did you give him?

Answer. Mr. Dodge's.

Question. Did you give anybody else that ticket?

Answer. I don't think of anybody else, sir.

Mr. ANTHON:

Question. Do you know of your own knowledge, so that you are willi swear to it, that Mr. Chappell voted the ticket that you gave him?

Answer. I know that he was ——

Question. Say from your own knowledge.

Answer. I am in circumstances to say yes.

Question. You say yes?

Answer. Yes, sir.

HENRY MAXWEL

Attest: JNO. R. BRADY, *J. C.*

Cornelius V. Clarkson sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 235 East Thirtieth street.

Question. Did you vote from there on the 8th of November last?

Answer. Yes, sir.

Question. Did you vote for member of Congress?

Answer. Yes, sir.

Question. For whom?

Answer. Mr. Dodge.

Question. At what place did you deposit your vote?

Answer. Corner of Second avenue and Thirty-first street.

Mr. ANTHON:

Question. Where did you get your ticket?

Answer. Well, I got—it was partly sent to me, and part I got at the pc one of the boxes

Question. Where did you get the congressional ticket?

Answer. Well, I don't remember whether that was sent to me, or whet got it at the box, at the polls; I can't say.

Question. When were the tickets sent to you which you received in that

Answer. I think it was the day before election, sir.

Question. What did you do with them, when you received them?

Answer. I opened them and examined them to see if they were all right. as were right I reserved to carry to the polls.

Question. What did you do with those you reserved?

Answer. I put them in my pocket, and examined them the next morni see if I had them all right.

Question. You remember seeing the name of William E. Dodge on any t you voted?

Answer. Yes, sir.

Question. You looked at it before voting?

Answer. Yes, sir.
Question. Do you remember the name on any other ticket that you voted?
Answer. Well, no; I can't say that I remember just now—not on any other ticket.
Question. Do you remember for whom you voted for member of assembly?
Answer. Well, I don't remember.
Question. Do you remember for whom you voted for sheriff?
Answer. Well, sir; I have not thought the subject over sufficiently to state; I have got a list of them home, however.
Question. Do you remember who the list of candidates for Congress were?
Answer. I think one was Mr. Brooks and one was Mr. Dodge.
Question. Do you remember any other candidate for Congress?
Answer. Well, I don't remember any that I had any interest in.
Question. How did you know Mr. Dodge?
Answer. Well, I was not acquainted with him personally, but I knew him by reputation for a long while.
Question. What are your politics, Mr. Clarkson?
Answer. Well, I generally vote for what I consider the best men on the tickets.
Question. What's your occupation?
Answer. Physician.

C. V. CLARKSON.

Attest: JNO. R. BRADY, *J. C. P.*

John Escher sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 595 Second avenue.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes, I did.
Question. Where did you vote?
Answer. Well, I voted for President Lincoln, for coroner, and for Mr. Dodge.
Question. At what place?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom did you vote for member of Congress?
Answer. Well, I voted only one ticket—this, Mr. Dodge.
Question. Are you a republican or democrat?
Answer. I am a republican.
Question. Did you vote the republican ticket all through?
Answer. I voted only three tickets.
Question. What three tickets did you vote?
Answer. For President Lincoln, for coroner, and for Mr. Dodge.
Question. Do you know who you voted for for coroner?
Answer. What's that?
Question. Do you understand English easily?
Answer. Well, I understand it, and that's all; I voted for Dodge.
Question. Have you ever voted before?
Answer. No; that's the first time.

Mr. ANTHON:

Question. Do you remember the name of the Mr. Dodge you voted for?
Answer. Yes, I do.
Question. What is his name?
Answer. A. Dodge.

Question. Did you see that name on the ticket you voted?
Answer. Yes, it was.

Mr. PHELPS:

Question. How did you happen to vote for Mr. Dodge?
Answer. Well, I belong to a German club, and that's the way I heard he's a good man to vote for.
Question. Do you think that all the members of this Union club voted for Mr. Dodge?
Answer. Yes.
Question. Was he the candidate of the Union club?
Answer. I was only there three times.
Question. Was Mr. Dodge the candidate of this club? Was William E. Dodge the man that all the members of this club were to vote for for Congress?
Answer. Yes, sir; he was the man for that ——

Mr. ANTHON:

Question. Who was the man that all the members of this club voted for?
Answer. Well, the gentleman that was here before me.
Question. Have you ever seen him before?
Answer. Oh, yes.
Question. Have you ever seen this gentleman here before, (pointing to Mr. Dodge?)
Answer. No, I didn't see him before.
Question. Was he the gentleman you voted for for Congress?
Answer. I don't know; I voted for A. Dodge.
Question. Who was the gentleman that the members of this Union club were to vote for for Congress?
Answer. This A. Dodge.

Mr. PHELPS:

Question. When you say that A. Dodge was the man the members of your club voted for, do you mean that his name was A. Dodge, or that he was *a* Dodge; that his name was Dodge, and that you don't know what his first name was?
Answer. I think it was.
Question. Do you know what Mr. Dodge's first name was?
Answer. I don't know; A. Dodge; that's all what I heard, and what I read on the ticket; that's all.
Question. Did you intend to vote for Mr. Dodge who was running for Congress in this district?
(Objected to.)
Answer. Yes, sir; I did.

JOHN ESCHER.

Attest: JNO. R. BRADY, *J. C. P.*

Charles A. Bragdon sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 145 East Thirty-first street.
Question. Do you know a man named Andrew G. Colby?
Answer. Yes, sir; I used to know him before he died.
Question. He is dead, then?
Answer. Yes, sir.

Question. Where did he live when he was living?

Answer. He lived—I can't just tell the number—in the lower brown-stone-front house in Thirty-first street, just below me.

Question. Do you know if he voted on the 8th of November last?

Answer. Yes, sir.

Question. Where did he vote?

Answer. He voted corner of Second avenue and Thirty-first street

Question. Do you know how he voted for member of Congress?

Answer. He voted for Mr. William A. Dodge.

Question. William A. Dodge or William E. Dodge, do you mean?

Answer. I mean he voted for William A. Dodge. I can read the ticket.

Question. Did you read Mr. Colby the ticket?

Answer. Yes, sir.

Question. Did you see him vote it?

Answer. Yes, sir; stood right by him.

Question. Did you vote yourself, Mr. Bragdon?

Answer. I did, sir.

Question. At that same place?

Answer. I did, sir.

Question. Who did you vote for?

Answer. The same gentleman.

Question. What did Mr. Colby die of?

Answer. You'll have to go to a higher power to find out. He dropped dead on the Central park, skating.

Question. This Mr. Dodge you voted for, was he the republican candidate for member of Congress?

Answer. Yes, sir; the Union candidate.

Question. And Mr. Colby voted for the same man you did?

Answer. Yes, sir.

Mr. ANTHON:

Question. You have no doubt as to the name?

Answer. The name of what?

Question. The name of Mr. Dodge?

Answer. No, sir; no, sir.

Mr. PHELPS:

Question. Do you know it to be so?

Answer. It is either William A. or William E. Dodge. I know it is.

Question. You don't know which of the two it is. Do you know whether the middle name is A. or E.?

Answer. I think it is E.

Mr. ANTHON:

Question. Which do you think it is, A. or E.?

Answer. It is William E. Dodge.

Question. Why did you say it was William A.?

Answer. It was a mistake. I am liable to a mistake. There is a great many people is. It was a great mistake he did'nt get elected, too.

Question. Where did you get your tickets from?

Answer. I got them at Ebbett Hall.

Question. When?

Answer. The night before the election.

Question. And what became of that ticket between the time you got it at Ebbett Hall and the time you voted it?

Answer. I put it in my pocket, and carried it home, and kept it there.

Question. Did you know Mr. Dodge before?

Answer. Not personally acquainted with him.

Question. Have you any knowledge who you voted for, other than the fact of his being the Union candidate?

Answer. I know I voted for the Union candidate—Mr. Dodge.

Question. Have you any knowledge of the fact, other than his being the Union candidate?

Answer. Yes, sir, I have.

Question. What is it founded on?

Answer. It is founded on the ticket I voted.

Question. Did you look at it?

Answer. Yes, sir.

Question. When?

Answer. I looked at it half a dozen times; I looked at it ten minutes before I put it in.

Question. When did you give Mr. Colby his ticket?

Answer. I gave it to him the same morning of the election.

Question. How long before he voted?

Answer. He voted there and then as soon as he could walk from his house down to the corner of Second avenue and Thirty-first street.

Question. Did you see him walk down?

Answer. I walked with him.

Question. How near together did you vote?

Answer. I voted so nigh that I could touch him.

C. A. BRAGDON.

Attest:

JOHN R. BRADY, *J. C. P.*

H. Wicker sworn, (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 239 East Thirtieth street.

Question. Did you vote on the 8th of November last?

Answer. I did.

Question. Where?

Answer. Corner of Thirty-first street

Question. Did you vote for member of Congress?

Answer. I did.

Question. For whom?

Answer. For Dodge.

Mr. ANTHON:

Question. What was the name of the Mr. Dodge for whom you voted?

Answer. I had but one Dodge on the ticket. I did'nt look at the name. I examined the tickets.

Question. Where did you get them?

Answer. I got them Thirty-first street corner, and took them home with me. I had made up my mind to vote for him before I got the tickets?

Question. You saw the ticket?

Answer. Yes, sir.

Question. Do you remember what name was on it?

Answer. Dodge.

Question. Can you give me the full name?

Answer. No, I can't say that I can give you the full name.

H. WICKER.

Attest:

JOHN R. BRADY, *J. C. P.*

George W. Wicker sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer 239 East Thirtieth street.
Question. Did you vote from there on the 8th of November last?
Answer. Yes, sir.
Question. Did you vote for member of Congress?
Answer. Yes, sir.
Question. For whom?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Do you remember what the full name of Mr. Dodge was?
Answer. No, sir, I can't say now.
Question. Where did you get your ticket?
Answer. Corner of Thirty-first street and Second avenue.
Question. What did you do with your ticket when you received it?
Answer. I think I went home first and examined it—I did—and then went back to the polls.
Question. Where were you residing at that time?
Answer. In my father's house.
Question. Had you any bet pending on the election?
Answer. No, sir.
Question. Are you a member of any republican association?
Answer. No, sir.
Question. Did nothing in relation to the election except vote?
Answer. That's all, sir.

G. W. WICKER.

Attest:

JOHN R. BRADY, *J. C. P*

Adam Hampton sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 136 East Thirty-first street.
Question. Did you vote from there on the 8th of November last?
Answer. I did.
Question. Did you vote for member of Congress?
Answer. I did.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Had you any bet pending on the election?
Answer. None at all. I am not one of that character.
Question. Where did you get your ticket?
Answer. I don't recollect where I got it.
Question. Did you look at it?
Answer. I did. There was no mistake about it; it was William E. Dodge.
Question. How long have you lived in that place?
Answer. I have lived five years in May.
Question. Are you a member of any republican organization?
Answer. I am not.

Question. Did you take any part in the election or the canvass?
Answer. Nothing more than voting.

ADAM HAMPTON.

Attest:

JOHN R. BRADY, *J. C. P.*

Levi Hayden sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 315 East Thirtieth street, sir.
Question. Did you vote from there on the 8th of November last?
Answer. No, sir; I voted by proxy. I was down on the James river at the time. Mr. Blunt—George W. Blunt—voted for me.
Question. Did you send your ballots to him?
Answer. Yes, sir.
Question. Did you enclose in your envelope to him a vote for member of Congress?
Answer. I can't say that, sir; I just voted the ticket sent me, in a hurry, from General B. F. Butler.
Question. Did you know whether it was the Union or the democratic ticket?
Answer. It purported to be the Union.
Question. Did you intend to vote the Union ticket?
Answer. That was the intention, sir.
Question. Are you sure you did not enclose any democratic tickets?
Answer. No, sir; I took good care of that.
Question. Then, all the tickets you did send were Union?
Answer. Yes, sir.
Question. Do you know that Mr. Blunt deposited them?
Answer. He told me so. He told me it took him two hours to get it in. He said he waded knee-deep to do it.
(Answer objected to.)

Mr. ANTHON:

Question. Did you see any tickets in the army that were not headed Union ticket?
Answer. Yes, sir. I was attached to both arms of the service—being an engineer.
Question. What did those tickets have inside of them that were not indorsed Union tickets?
Answer. I can't tell you, sir.
Question. In whose hands did you see a ticket that was not labelled Union ticket?
Answer. The engineer of the gunboat Delaware; I don't know as I can give you the name. He was a gentleman, and I may say a Christian.
Question. My reason for asking you was that the Tribune said they had no tickets that were not labelled Union tickets.
Answer. They had plenty of them down there, sir; the Tribune was mistaken there.
Question. You judge the Tribune was mistaken, then?
Answer. I think it was, sir.
Question. And you don't remember the names on the tickets at all?
Answer. No, sir.

Question. Do you know whether there was more than one Union ticket running for Congress in this district?
Answer. No, sir; I have no knowledge more than that.

LEVI HAYDEN.

Attest:

JOHN R. BRADY, *J. C. P.*

Thomas W. Gibson sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. The number has been recently changed; I don't know what is the number; it is either 259 or 307; it is now 307 East Thirtieth street; I believe that was the number when the election took place.
Question. Did you vote from there on the 8th of November last?
Answer. Yes, sir, I resided there.
Question. For member of Congress?
Answer. Yes, sir.
Question. For whom did you vote?
Answer. For William E. Dodge.

Mr. ANTHON:

Question. Did you look at your ticket before voting?
Answer. I did, sir.
Question. What was the name upon it?
Answer. William E. Dodge.
Question. Do you belong to the republican association of the ward?
Answer. No, sir.
Question. Don't belong to any political organization?
Answer. No, sir.

THOMAS W. GIBSON.

Attest

JNO. R. BRADY, *J. C. P.*

Peter Kennel sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 554 Second avenue.
Question. Did you vote on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?
Answer. I did.
Question. For whom?
Answer. William A. Dodge.
Question. Are you sure of the middle name?
Answer. I am not (certain) sure; I think that's the name, William A. Dodge.
Question. Did you intend to vote for the Dodge who was a republican candidate?
Answer. I did, sir.

Mr. ANTHON:

Question. Are you a native American?
Answer. No, sir; I am a native of Germany.
Question. How long have you resided in this country?
Answer. Fifteen years.
Question. When were you naturalized?
Answer. 1863, November.
Question. You read English?
Answer. Yes, sir.
Question. Did you read your ticket?
Answer. I did, sir.
Question. Had you been betting any lagers on the result of the election?
Answer. No, sir; I don't do it.
Question. Do you belong to any republican association?
Answer. No, sir.

PETER KENNEL.

Attest:

JNO. R. BRADY, *J. C. P*

John Jackson sworn. (Objected to. See page 10.)

Mr. PHELPS;

Question. Where do you reside?
Answer. 309 Thirtieth street.
Question. You resided there on the 8th of November last?
Answer. Yes, sir.
Question. Did you vote?
Answer. Yes, sir.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?
Answer. Yes, sir.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. How do you know that you voted for Mr. Dodge?
Answer. I looked at the paper I voted.
Question. Did you take any other part in the election than voting?
Answer. No, sir.
Question. Attended no meetings of any kind in reference to it?
Answer. No, sir.

JOHN JACKSON.

Attest:

JNO. R. BRADY, *J. C. P.*

Benjamin Savidge sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside?
Answer. 171 East Thirty-first street.
Question. Did you vote from there on the 8th of November last?

Answer. Yes, sir.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?
Answer. Yes, sir.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. How do you know that you voted for Mr. Dodge?
Answer. I read his name on the ticket I had.
Question. Before voting it?
Answer. Before voting it.
Question. How long have you lived at 171 East Thirty-first street?
Answer. Some four or five years, sir, next May.
Question. Did you belong to any republican association?
Answer. No, sir.
Question. Took no part in the election except voting?
Answer. No, sir.

BENJAMIN SAVIDGE.

Attest: JNO. R. BRADY, *J. C. P.*

Charles A. Bell sworn. (Objected to. See page 10)

Mr. PHELPS:

Question. Where do you live?
Answer. 309 East Thirtieth street.
Question. Did you live there on the 8th of November last?
Answer. I did.
Question. Did you vote for member of Congress?
Answer. I did.
Question. For whom did you vote for member of Congress?
Answer. William E. Dodge.
Question. Where did you deposit it?
Answer. Corner of Thirty-first street and Second avenue.

Mr. ANTHON:

Question. How do you know that you voted there for Mr. Dodge?
Answer. How do I know? If I know my existence, I know I voted that day—that's all.
Question. I didn't ask you that; I asked you how you knew you voted for Mr. Dodge?
Answer. Being an old-line democrat, I always look at my tickets.
Question. Did you look at your tickets for Mr. Dodge?
Answer. I did look at my tickets.
Question. Had you made any bets on the election?
Answer. None at all; no, sir.
Question. How long had you lived at 309 East Thirtieth street?
Answer. Since the first day of May.
Question. Where did you live previous to that time?
Answer. 63 Third street.
Question. For how long a time had you lived there?
Answer. In Third street? Two years.

Question. Were you a member of any republican organization in the Twenty-first ward?
Answer. No, sir.
Question. Did you take any active part in the election other than by voting?
Answer. No, sir.
Question. Do you know anything of any meetings held in reference to the affairs of the election that year?
Answer. No, sir.

Mr. PHELPS:

Question. What ticket do you generally vote?
Answer. I generally vote the democratic ticket, sir?
Question. Do you believe that other democrats beside yourself in this last election voted for Mr. Dodge?
(Objected to.)
Answer. Oh, yes.
Question. Do you believe there were many such?
Answer. I believe there were.

Mr. ANTHON:

Question. What presidential ticket did you vote?
Answer. Abraham Lincoln's; the Union ticket, sir.

CHARLES A. BELL.

Attest: JNO. R. BRADY, *J. C. P.*

Smith Thompson sworn. (Objected to. See p. 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 223 East Thirtieth street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. At the corner of Second avenue and Thirty-first street.
Question. For whom did you vote?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you examine your ticket?
Answer. I did, sir.
Question. When did you get them?
Answer. I got it the evening before, sir.
Question. And how did you keep it between the time you got it and the time you voted?
Answer. I kept it in one of my pockets, sir; I don't know which.
Question. I mean whether it was so persons could get access to it?
Answer. It was in my own pocket.
Question. Are you a member of any republican organization?
Answer. No, I am not, sir.

S. THOMPSON.

Attest: JNO. R. BRADY, *J. C. P.*

William G. W. Wilson sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 151, this street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. Second avenue and Thirty-first street.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you examine your ticket before voting?
Answer. I did, sir.
Question. Where did you get your ticket that you voted?
Answer. I got it at the rooms at the Twenty-first ward republican association.
Question. Are you a member of that association?
Answer. I am, sir.
Question. Did you keep your ticket so that no one could get access to it before voting it?
Answer. Yes, sir.
Question. Did you attend any meetings previous to the election in reference to the affairs of the election and the mode of conducting it?
Answer. No, sir.
Question. Do you know of any money being spent to advance the election of Mr. Dodge?
Answer. None at all, sir.

WILLIAM G. W. WILSON.

Attest: JNO. R. BRADY, *J. C. P.*

Edward L. Taylor sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 116—two doors from here.
Question. Thirty-first street?
Answer. Yes, sir.
Question. You lived there on the 8th of November last?
Answer. Yes, sir.
Question. Did you vote for member of Congress?
Answer. Yes, sir.
Question. Where?
Answer. On the northeast corner of this street and Second avenue.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you examine your ticket, Mr. Taylor?
Answer. Yes, sir, I did.
Question. Before voting?
Answer. Yes, sir; I always like to vote intelligently.
Question. Where did you get your ticket?

Answer. At the rooms at Fourth avenue, headquarters of the republican association.
Question. You are a member of that association?
Answer. No, sir; I don't belong to any political association; I never did.
Question. You took no active part in the election?
Answer. No, sir.

Mr. PHELPS:

Question. Did you ever vote the democratic ticket?
Answer Yes, sir, years gone by.
Question. Have you voted it within two or three years?
Answer. No, sir.

ED. L. TAYLOR.

Attest: JNO. R. BRADY, *J. C. P.*

Charles A. Taylor sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 116 East Thirty-first street.
Question. Did you live there on the 8th of November last?
Answer. I did.
Question. Did you vote on that day for member of Congress?
Answer. Yes.
Question. Where?
Answer. On the corner of Thirty-first street and Second avenue.
Question. For whom did you vote?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you examine your ticket before voting?
Answer. I did.
Question. Where did you get it from?
Answer. It came originally, I believe, from the polls, or from the republican headquarters; I am not sure which. I believe my father got them.
Question. And you looked at it?
Answer. I did.
Question. Are you a member of any republican association?
Answer. No, sir; I am not.
Question. Had you any bets on that election?
Answer. I had not.

CHARLES A. TAYLOR.

Attest: JNO. R. BRADY, *J. C. P.*

Russell Myers sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 415 Third avenue.
Question. Did you live there on the 8th of November last?

Answer. Yes, sir.
Question. Did you vote for member of Congress?
Answer. I did, sir.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom did you vote?
Answer. For William E. Dodge.

Mr. ANTHON:

Question. Did you read your ticket?
Answer. Yes, sir.
Question. Where did you get it?
Answer. I got it out of the rooms, sir—out of the committee-room.
Question. Are you a member of any republican association in the ward?
Answer. I am, sir; of the republican association, Twenty-first ward.
Question. Are you an officer, or merely a member?
Answer. I am merely a member, sir.
Question. Did you take any active part in the election beside voting?
Answer. Yes; I was at the polls of one of the districts.
Question. At what district?
Answer. Of the first.
Question. Do you know of any money being spent for the purpose of assisting Mr. Dodge's election?
Answer. I do not, sir.
Question. Do you know who paid the republican expenses of the poll at which you were?
Answer. The executive committee, sir.
Question. Do you know who that executive committee consisted of?
Answer. I couldn't tell you now, sir; it was printed in pamphlet form.
Question. Do you remember any of the names?
Answer. I consisted of one of them myself.
Question. I think you said you didn't know of any money being spent for Mr. Dodge's election?
Answer. I did not, sir.
Question. Do you know of any money being spent for that purpose?
Answer. Nothing more than for the purpose of working at the polls.
Question. What else?
Answer. Nothing else, sir—merely labor, and paying for the boxes—that's all.
Question. Who composed the finance committee of that ward?
Answer. The finance committee of this ward? Well, I couldn't tell you exactly who they were.
Question. Do you remember any of them?
Answer. Mr. Murphy was one.
Question. Do you know of any money being collected for republican purposes during that election?
Answer. No, sir.
Question. You neither received nor disbursed any yourself?
Question. I disbursed some for men that I employed at the polls; nothing more than that; I received it, and handed it to them.
Question. How did you happen to be employed in the first district instead of your own?
Answer. Well, the reason was that there didn't happen to be any of the executive committee there at the night of the election. I merely took charge of it by carrying the tickets and posters, merely because there was no one else there.

RUSSELL MYERS.

Attest: JNO. R. BRADY, *J. C. P.*

John Hampson sworn. (Objected to. See page 10. Also objected to as not being on the witness's list correctly.)

Mr. PHELPS:

Question. Where do you live?
Answer. 434 Third avenue.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes, sir.
Question. Where?
Answer. Thirty-second street and Second avenue—Thirty-first street, I mean.
Question. For whom did you vote?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Where did you get your ticket?
Answer. I got it out of the box.
Question. Did you vote a full set of republican tickets?
Answer. No, sir.
Question. Did you look at the tickets before you voted them?
Answer. Yes, sir.
Question. Did you look at the ticket for Congress?
Answer. Yes, sir.
Question. Are you a member of any republican association?
Answer. I was last year; I don't know whether I am this year or not; I have not been there to attend it.
Question. Did you have any bets on the election?
Answer. No, sir.

JOHN HAMPSON.

Attest: JNO. R. BRADY, *J. P. C.*

Farrell Dorrity sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 240 East Thirty-second street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I believe I did.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom did you vote?
Answer. I voted for Mr. Dodge.
Question. Did you intend to vote for Mr. Dodge?
(Objected to.)
Answer. I believe I did, so far as my recollection goes.
Question. What ticket do you generally vote?
Answer. The democratic ticket.
Question. Why did you intend to vote for Mr. Dodge?
(Objected to.)
Answer. Because I considered him the best man. I generally select my tickets—the best man from the tickets. I generally vote the democratic ticket.
Question. Do you know of any other democrats who voted for Mr. Dodge?
Answer. I can't say; I ain't in the habit of asking a man what ticket he votes.

Mr. ANTHON:

Question. Have you any reason for supposing that you voted for Mr. Dodge, other than having voted the republican ticket?

Answer. I think my intentions were to vote for Mr. Dodge.
Question. Did you look at your ticket?
Answer. Well, of course I looked at my ticket.
Question. Do you remember seeing Mr. Dodge's name on any ticket that you voted?
Answer. I think I did.
Question. You are not certain?
Answer. Well, I couldn't say certain. My intention was to vote for him. I generally take a ticket from each box and select who I think is the best man. I don't care what his politics are.
Question. But you can't positively say that you saw Mr. Dodge's name on the ticket?
Answer. I couldn't say positively that I voted for him; but the best of my opinion is——
Question. For whom did you vote for President?
Answer. Has that anything to do with this election?
His HONOR: You must answer the question.
Answer. I ain't ashamed of it. I voted for George B. McClellan. I would again if he was up.

FARRELL DORRITY.

Attest: JOHN R. BRADY, *J. C. P.*

Thomas Stritch sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. In Second avenue.
Question. What number on Second avenue?
Answer. There are two numbers, 503 and 567.
Question. Then you live in both?
Answer. I live in one number, (that I leave to your discrimination.) I live in 503; 567 was the old number.
Quesion. Did you vote for member of Congress.
Answer. I did that morning.
Question. For whom did you vote that morning?
Answer. Well, I think I voted for Mr. Dodge.
Question. Did you intend to vote for him?
(Objected to.)
Answer. Yes; I made my mind up to do so.
Question. What ticket do you generally vote?
Answer. Well, I have voted the republican ticket for the last four years.

Mr. ANTHON:

Question. Did you read your ticket?
Answer. Yes, sir; I think I did, sir.
Question. Are you sure?
Answer. Well, I am positive sure.
Question. Do you remember what name you read on it?
Answer. Well, I was more interested in Mr. Dodge than all the others. Mr. Dodge's name I recollect, and I voted for him. I made my mind up to that effect before I left the house.
Question. Why did you say that you only thought you did?
Answer. Well, I more than think it.

Question. It is a little way you have when you are positive?

Answer. Yes, it is a little way of my own.

Question. Did you think enough of Mr. Dodge to bet anything on his election this time?

Answer. No, sir; I never made a wager on any man's election, nor never will, unless I change my mind.

Question. Do you know of any money being spent on his election?

Answer. No, sir; I have never myself received a cent, directly or indirectly, for any vote.

Question. Did you spend anything?

Answer. I am in the habit of spending a little for myself every day. If I meet a friend I treat him, sometimes to Bourbon, and sometimes to Irish whiskey, and so on.

THOMAS STRITCH.

Attest: JOHN R. BRADY, *J. C. P.*

Charles Heizman sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do live?

Answer. 433 Third avenue.

Question. Did you live in the same place on the 8th of November last?

Answer. Yes, sir.

Question. Do you know if that place is in the third district, Twenty-first ward?

Answer. Yes, sir, it is.

Question. Did you vote on that day?

Answer. I did, sir.

Question. About what time in the day did you vote?

Answer. It was about 1 or 2 o'clock, as near as I can recollect.

Question. Did you vote for member of Congress?

Answer. I did, sir.

Question. For whom did you vote?

Answer. I voted for Mr. Dodge.

Question. With what party do you generally vote?

Answer. With the republican party.

Question. Were you an officer at the polling place of this district on that day?

Answer. Yes, sir.

Question. Were you inspector or canvasser?

Answer. Both, sir.

Question. Were you appointed for both by the board of supervisors?

Answer. Yes, sir.

Question. Did you serve all day long as inspector?

Answer. Yes, sir.

Question. And then subsequently, during the evening, as canvasser?

Answer. Yes, sir.

Question. What time did the canvass commence?

Answer. Immediately after the polls closed.

Question. What time did it get through?

Answer. Half-past 4 o'clock in the morning.

Question. Were you, after the fatigue of the day, wide awake through the night of the canvass?

Answer. Well, as good as I could be—a little sleepy.

Question. What time did you get through with the presidential canvass, with the canvass of the electoral votes?

Answer. I believe it was about 9 o'clock—somewhere in the neighborhood of that.

Question. What did you canvass next?

Answer. The State ticket.

Question. What did you canvass next?

Answer. The votes for Congress.

Question. What time did you get through with the State ticket?

Answer. I couldn't exactly say. I guess it was about 11 o'clock.

Question. What time did you get through with the congressional ticket?

Answer. About an hour after that.

Question. Who were with you as canvassers?

Answer. Mr. Fitz Simmons and Mr. Mahoney.

Question. What were the politics of Mr. Fitz Simmons and Mr. Mahony?

Answer. Democrats.

Question. Did you keep a tally during all this time, Mr. Heizman?

Answer. Yes, sir.

Question. What did you do with your tally when you got through?

Answer. The tally was lost or destroyed; I don't know which. We couldn't find it.

Question. When did you search to find it?

Answer. After we got through with the canvass we collected our tallies; I couldn't find mine. All the others were found, but mine was lost.

Question. What time did you look for your tally—the instant the canvass was through?

Answer. Yes, sir; we kept our papers together, and I looked for my tally and could not find it.

Question. Are you sure you didn't destroy it?

Answer. Yes, sir.

Question. Did you look all over?

Answer. Yes, sir; looked all over the room.

Question. Did Mr. Fitz Simmons and Mr. Mahony assist you in the search?

Answer. No; I looked myself. I told them I had lost it, and they looked over the tables—that's all.

Question. Did you see the tallies that they had kept?

Answer. Yes, sir.

Question. Did anybody assist in the canvass besides you three?

Answer. No, sir.

Question. Was any one in the enclosure besides yourself?

Answer. Certainly; the room was full. There was no enclosure at all.

Question. Were any others near the table on which the ballots were?

Answer. They were all round the table.

Question. Did they come close up to the table, these spectators?

Answer. Yes, sir.

Question. Did you see any of them touch the ballots?

Answer. No, sir, I did not.

Question. Could you swear that no one did touch the ballots during all this night?

Answer. I could not swear; the people were all around me. Not to the best of my knowledge they didn't.

Question. Are you sure that you were not so sleepy that there might some such thing have been done?

Answer. No; I was not so very sleepy. Of course I was tired out.

Question. What time were you present at the opening of the polls in the morning?

Answer. About ten minutes before the polls were opened.

Question. How long were you absent from your duties during the whole day at the polling place?

Answer. Twenty minutes; not more.

Question. Did you sit most of the day?

Answer. I didn't sit at all, sir; stood up.

Question. Were you not very tired?

Answer. Why, of course, a person standing all day gets tired towards evening.

Question. Did you make up your return?

Answer. Yes, sir.

Question. What did you do with your return?

Answer. Took them to the place where they were to be taken to—one to the county clerk's office and one to the supervisors.

Question. Were you served with a mandamus ordering you to make a duplicate or fresh return to the county clerk's office?

Answer. Yes, sir.

Question. Who got out the mandamus?

Answer. Some judge of the supreme court.

Question. At whose request?

Answer. James Brooks's.

Mr. WATERBURY:

Question. Mr. Heizman, you say that Mr. Fitz Simmons and Mr. Mahony were democrats?

Answer. Yes, sir.

Question. Were they Barr or Brooks men?

Answer. That is more than I knew, sir.

Question. You don't know whether they went for Barr or for Brooks for Congress, eh?

Answer. No, sir; I do not.

Question. To whom were the returns delivered for the purpose of delivery to the supervisors and the county clerk. Who were they intrusted to?

Answer. To myself.

Question. Both of them?

Answer. Yes, sir.

Question. What did you do with them?

Answer. Took one to Supervisor Ely, I believe, in Fifth avenue, and one to the county clerk's office.

Question. Did the two returns that you took for delivery agree in the votes for member of Congress?

Answer. Yes, sir; they were alike.

Question. Did you see any fraud perpetrated in the canvass of those votes?

Answer. Not to my knowledge—no, sir.

Question. How many tallies were kept?

Answer. Three. There were four; one of the poll clerks kept a tally—Alonzo Benton, I think, his name is.

Question. Did the other poll clerk keep a tally?

Answer. No, sir; he was writing up the books.

Question. What was his name?

Answer. Thomas Burns.

Question. What's your business?

Answer. Jeweller

Question. Do you hold any office, or have you held any?

Answer. Nothing at all, sir.

Question. Have you had any conversation with any person about being appointed to one?
Answer. No, sir.
Question. Do you expect to be appointed to one?
Answer. No, sir.
Question. Did you sign the returns that were intrusted to you for delivery?
Answer. Yes, sir.
Question. You signed them as canvasser?
Answer. Yes, sir.

CHARLES HEIZMAN.

Attest: JNO. R. BRADY, *J. C. P.*

William Taylor sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 116 this East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. At the corner of this street—Thirty-first street and Second avenue.
Question. For whom?
Answer. William E. Dodge.

Mr. WATERBURY:

Question. Where and when did you get your ticket that you voted?
Answer. I am pretty sure (I am not certain about this) that my father brought the tickets in to the house.
Question. Who is your father?
Answer. Edward L. Taylor. He was registered at the same time that I was registered.
Question. When was it?
Answer. It was a night or so previous to the election.
Question. What was done with the ticket after that?
Answer. I took it in my hand to the polls, and deposited it there.
Question. Did you vote a full republican ticket?
Answer. Yes, sir; I didn't scratch a single name.
Question. Did you examine every ticket that you voted?
Answer. I did, sir.
Question. Are you positive the congressional ticket was on it?
Answer. I am, sir.
Question. How long have you resided in this place?
Answer. I have resided in the Twenty-first ward for over eight years.
Question. You didn't take much interest in the election, did you?
Answer. I did in that election.
Question. How much did you do in that election?
Answer. So much as any citizen could do for a man in favor of him
Question. Did you disburse any money in regard to the election?
Answer. No, sir.
Question. Did you know of any being disbursed?
Answer. No, sir.
Question. Did you know of any money being disbursed in regard to the presidential election?

Answer. No, sir.
Question. Did you make any bets about any part of the election?
Answer. No, sir.
Question. Nothing depending on it whatever?
Answer. No, sir.

WM. L. TAYLOR.

Attest: JNO. R. BRADY, *J. C. P.*

William Fuchs sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 567 Second avenue.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes, sir.
Question. Where?
Answer. Right at the corner of Second avenue and Thirty-first street.
Question. For whom did you vote?
Answer. William E. Dodge.
Question. Is your father living?
Answer. Yes, sir.
Question. What is his name?
Answer. David Fuchs.
Question. Did he vote this same election?
Answer. Yes, sir.
Question. Where does he live?
Answer. He lives in the same house.
Question. Is he ill?
Answer. He is sick.
Question. Do you know which way he voted?
Answer. Yes, sir.
Question. Did he vote for member of Congress?
Answer. Yes, sir.
Question. For whom?
Answer. William E. Dodge.

Mr. WATERBURY:

Question. How do you know for whom he voted?
Answer. Because I looked at his ticket.
Question. When did you look at his ticket?
Answer. The night before, and the morning too.
Question. Did you open the ticket in the morning?
Answer. I opened the ticket; yes, sir.
Question. Where?
Answer. In the house.
Question. Did you see it after that?
Answer. I went along with him when he voted.
Question. Did you see him vote that same ticket?
Answer. Yes, sir.
Question. How do you know that it was the same?
Answer. Because they were all the same ticket.
Question. Supposing he had changed in the mean while?
Answer. I was along with him all the time.
Question. Do you mean to say it was impossible for him to change it?

Answer. Yes, it was impossible.
Question. Where did you get your ticket?
Answer. I got it the night before.
Question. Where?
Answer. In Second avenue, at the German headquarters.
Question. Did you read it then?
Answer. I read it too.
Question. How long did you read it before you put it into the box?
Answer. I read it more than once.
Question. What did you do with it then?
Answer. I do with it? I put it in the box.
Question. Did you read it immediately before you put it in the box?
Answer. No, I did not.
Question. How long before was it you read it?
Answer. I can't tell how long before it was.
Question. Did you read it the same morning?
Answer. Yes, sir.
Question. Did you then keep it in your hand?
Answer. I don't know that I did. I might have put it in my pocket.
Question. How many tickets had you in your pockets?
Answer. One.
Question. No other?
Answer. No other.
Question. Did you vote a full ticket?
Answer. Full ticket.
Question. Did your father vote a full ticket?
Answer. Full ticket.
Question. Could you see him vote it?
Answer. Yes, sir.
Question. How long have you been in this country?
Answer. Seven years.
Question. How old are you?
Answer. Twenty-one.
Question. How many years since you were naturalized?
Answer. About a year.
Question. Is this the first vote you have——
Answer. Yes, sir.
Question. Did you have any wager on the election about anything?
Answer. No, sir.
Question. Did'nt bet any lager or anything else?
Answer. I guess not.

WM. FUCHS.

Attest: JNO. R. BRADY, *J. C. P.*

Warren Taylor sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Did you have any interviews with a man named Benson with reference to his part in this last election?
Answer. I did, sir.
Question. Can you give the name of that man in full and his place of residence?
Answer. P. Oscar B. Benson I think is the name.

Question. How many interviews did you have with this Benson in reference to this election?

Answer. I believe I spoke to him twice.

Question. What did you ask him the first time or say to him?

Answer. Well, I asked him if he went the right way.

(Answer objected to.)

Question. What did he say?

Answer. He says "I did."

Question. State what took place with reference to Mr. Benson's course at both of these interviews.

Answer. I went to Mr. Benson and asked him if he voted for Mr. Dodge. He says "I did, and I wished I could vote a dozen times for him."

(Answer objected to.)

Question. Was this on the first interview or the second?

Answer. That was on the second time.

Question. Did you tell Mr. Benson he was wanted here to testify?

Answer. I did, sir.

Question. Did Mr. Benson refuse to come?

Answer. He did not, sir; but his press of business, being a young doctor just graduated, he had to leave town this day. This day was the second interview I had with him.

Question. Did he give you any certificate as to his vote or the way he voted?

Answer. He did; he wrote out a few lines; I can produce it. (Producing a slip of paper.)

(Objected to.)

Question. Do you swear that he wrote that certificate?

Answer. I do, sir; in my presence.

(Certificate offered in evidence.)

Question. You have been for a long time a resident of the Twenty-first ward?

Answer. About fourteen or fifteen years.

Question. Have taken an active part in its politics?

Answer. Somewhat, sir.

Question. Did you take any active part in the last election?

Answer. Well, a little, I think.

Question. Was the result in the congressional matter, as determined by the board of county canvassers, such as you expected?

(Objected to.)

Answer. No, sir.

Question. Did you act as officer in either of the polling districts of this Twenty-first ward?

Answer. Yes, sir; I acted as superintendent of some seven districts.

Question. Did you hear anything which led you to suppose that there had been irregularities or frauds?

(Objected to.)

Answer. Yes, sir; I think I saw some things that did not meet my views.

Question. What did you see?

Answer. Well, I saw a great many people coming into this district which I never saw before—abundance of them about election times—just previous to the election. I mean the seven districts in this ward—the first, second, and third, up to the seventh.

Question. You were employed to superintend these seven districts?

Answer. Yes, sir.

Question. Do you know that any of these people came for the purpose of voting?

(Objected to.)

Answer. I think they did.

(Answer objected to.)

Question. Did you see anything else which led you to suppose that there would be fraud?

(Objected to.)

Answer. Yes, sir, I did. I saw in one district, which was the seventh district, which we polled there previous years about 270 votes. The poll list, I believe, was marked 450, somewhere thereabouts, without any increase of voters of any consequence; that is, new comers. In former times we polled about 270 votes altogether in the seventh district.

Question. What is the character of the seventh district; is it filled with tenement houses—large buildings?

Answer. No, sir; it is generally—about one-half of it is composed of small wooden buildings about as big as a man's wood-house.

Question. Was there any increase in the number of these?

Answer. Yes, sir; they piled out pretty well from that section.

Question. Was there any increase in the number of these hovels?

Answer. Not at all; they have been torn away, a great many of them.

Question. In superintending these districts, did you pass them frequently?

Answer. I did, sir.

Question. Did you see any irregularities in any of them?

Answer. I saw a great many men standing in line in the afternoon to make it appear that they were waiting—that they were wronged—men that had voted the democratic ticket—that had been in the line in the morning and voted—making it appear that they were kept out and could not vote.

Question. What object would they have?

Answer. To have it appear before the public that they were wronged—cheated out of their votes.

Question. Did you see this in more than one district?

Answer. In the third district; I saw several there. I could not rightly recollect their names. I understood that the fourth district was followed up pretty much the same way. I believe the third—there was some protest there too.

Question. Do you know about this third district, that we are on particularly now?

Answer. It was pretty near the case with most of them.

Question. Was the result here what you expected?

Answer. It was not, by any means.

Question. Did you know it before it was built up as it is now—the district?

Answer. Yes, sir.

Question. Did you think that Mr. Dodge would make what would be called a poorer run here than any other district?

Answer. This is the best district it would be called of the whole; had more voters in this district.

Question. How do you account for the fact that he fell so much behind the electoral ticket?

Answer. Well, I couldn't account for that rightly. There must have been wrongs somewhere, because we can find more men in the district than what we are credited with, I know by name and eyesight. I believe I can name more men that voted for Dodge than what is credited to him.

Mr. WATERBURY:

Question. I judge from what you say that you are a man of pretty large expectations, are you not?

Answer. It fails sometimes.

Question. Well, you did have pretty large expectations in regard to the election, did you not?

Answer. Yes, somewhat; I accomplished pretty much everything excepting Congress.

Question. Have you ever been disappointed in elections before?

Answer. Well, sometimes I have.

Question. You have known instances before in which your expectations have not been realized as you expected they would?

Answer. Not so much as this.

Question. Do you know of any other?

Answer. I don't think of any just now.

Question. In 1862, did General Wadsworth do as well as you expected?

Answer. Yes, sir; under the circumstances he did.

Question. You expected Governor Seymour to be elected?

Answer. Yes, sir. I was not disappointed.

Question. Do you recollect any election in which you were disappointed; as I understand you are able to foretell exactly how it will be about an election?

Answer. Well, I don't know; I ain't a fortune-teller yet.

Question. Don't you know in advance how elections will go?

Answer. Well, sometimes.

Question. You express opinions?

Answer. Sometimes.

Question. And elections always come out just exactly as you express your opinion?

Answer. No, not always.

Question. Have you ever been disappointed? I understood you to say that this is the only time that you have been disappointed.

Answer. I don't know as I have; I said I had been disappointed sometimes.

Question. I ask you explicitly, have you been disappointed in elections before?

Answer. In what election?

Question. In any.

Answer. Name them.

Question. I propose to examine you.

Answer. Well, excuse me; I answered you that way, that I didn't remember any, I believe.

Question. Then you can't specify any election except this one that you have been disappointed in the result?

Answer. I don't know that I can now.

Question. How long have you been taking a part in elections—in politics?

Answer. Somewhere in the neighborhood of fourteen years; since General Taylor run, at all events.

Question. That is seventeen years?

Answer. Well, I have been a kind of a good boy since that.

Question. Where do you reside?

Answer. I reside at 135 Thirty-fifth street east.

Question. What district is that in?

Answer. That is in the fifth district, this ward.

Question. Did you ever know an election in which you saw people coming up or voting that you had not seen previously in any of these seven districts, in any of the first seven districts of the Twenty-first ward?

Answer. Well, I don't know that I have.

Question. How many votes do those districts hold on an average?

Answer. How many?

Question. Yes, sir.

Answer. Well, they might run 400 about, nearly. That would be 2,800.

Question. Then do you say that you know all those 2,800 by sight?

Answer. No; I didn't say so.

Question. You say there has never been any previous election when you saw

men coming to the polls that you did not know by sight. How am I to understand you?

Answer. Go on.

Question. I ask you a question.

Answer. Well, ask it over.

(Question repeated.)

Answer. By the reason that I didn't take a part of superintendent of the seven districts before—that I wouldn't be so apt to be present at all the districts so much as I was on that occasion.

Question. How often before have you been superintendent of the whole seven districts?

Answer. I never was before.

Question. On previous elections, how often have you visited, during the day of the election, the other six districts, besides the fifth?

Answer. How often?

Question. How often on election day?

Answer. That election day?

Question. No; previous to this one.

Answer. Well, several times during the day.

Question. On any of those visits, at any previous election, did you ever see any person at those polls whom you didn't know?

Answer. I think I have, now and then.

Question. Do you recollect the election two years previously, when Seymour and Wadsworth run?

Answer. No, not so particularly.

Question. Do you remember whether on that occasion you saw anybody at the polls you didn't know?

Answer. I couldn't say; I don't remember.

Question. How is the vote, generally, at presidential elections; fuller or lighter than at other elections?

Answer. Generally a little fuller.

Question. A *little* fuller?

Answer. Do you want me to say less?

Question. I want you to say the facts.

Answer. I repeat it, sir. I will repeat the same words over again.

Question. Do you mean to confine your answer to that—that it was only a very little fuller?

Answer. Yes.

Question. From your experience in politics, don't you know that the vote at presidential elections is generally double the size it is at ordinary elections?

Answer. No, sir.

Question. Usually how much fuller should you suppose the vote is than in ordinary elections?

Answer. Probably a third more.

Question. A third more?

Answer. Yes. You are confining yourself to the district, ain't you?

Question. No; over the city.

Answer. I thought you were only wanting to know about this district. I am confining myself to this district only.

Question. Then you say, confining you to these districts, you say that the presidential elections held previous to this one, the vote usually has not been more than one-third fuller than at ordinary elections?

Answer. I should think about one-third—that is, some other elections.

Question. Will you be good enough to name some of those people in any of the seven districts that you visited? Give us the names of the persons who you

know voted in the morning, whom you saw afterwards standing in the line in the afternoon.

Answer. I don't know that I can call their names; I saw them standing there in the crowd; men that I could call by name; but I don't say that they were filling up the line that voted in the morning, because I might be mistaken; but several men that I knew by sight did stand there, but I could not mention their names.

Question. You can't mention a single name?

Answer. I would not like to mention some of their names. I would not like to censure a man for a wrong if he was not guilty.

Question. I want you to mention the names of every person you saw standing in the line of voters in the afternoon who voted in the morning.

Answer. I don't think that I can mention a name now.

Question. What did you mean when you said that you did not like to mention the names?

Answer. I would not say that they were actually in the line pressing up to vote, but they were by the crowd.

Question. Name the persons to whom you referred when you said that you would not like to mention the names.

Answer. Well, I saw Mr. Hugh Riley standing there by the parties several times during the day.

Question. Councilman Riley?

Answer. Yes, sir.

Question. What district?

Answer. Fifth district.

Question. Did you see Mr. Hugh Riley in the line of voters after he had voted?

Answer. That is what I have just said—that I did not think he was in the line, but stood by the line. That's the reason why I didn't wish to mention the name. But there was men there that I have saw before.

Question. Who are the other parties, besides Mr. Riley, whose names you did not like to mention?

Answer. I just don't think of a man's name now.

Question. Can't mention any other? Can you identify, in your mind, one single person whom you will swear that you saw in the line of voters, in either of the seven districts, in the afternoon, after he had voted?

Answer. I think I could, if I only had them here to see them.

Question. In what district did you think you saw such a man?

Answer. The fifth, I think it was.

Question. What sort of looking man was he?

Answer. He was called a white man.

Question. I ask you what sort of a looking man he was?

Answer. That's the way I describe him. I say that he would be called a white man.

Question. Do you mean to say by that that you doubt whether he was a white man? Was he an old man or a young man?

Answer. About a middle-aged man.

Question. Was he a tall man or a short man?

Answer. A middle-sized man.

Question. Was he a stout or a thin man?

Answer. I didn't take his clothes off.

Question. I didn't ask you that.

Answer. He would be an ordinary sized man.

Question. How do you know that that man had voted?

Answer. Well, I should judge he voted, because he passed along in the line about the time I voted there in the morning.

Question. Was he in front of you or behind you?
Answer. In front of me.
Question. Did you see him going in to the poll room?
Answer. Yes, sir.
Question. Did you see him again in the line in the afternoon?
Answer. No, sir; he was standing there in the crowd.
Question. Do you know whether he was there for the purpose of voting, or keeping a place for somebody else?
Answer. That I can't say.
Question. What were you there for?
Answer. I was there to vote once.
Question. In the morning?
Answer. Yes, sir.
Question. What were you there for in the afternoon?
Answer. I was there to see the men—looking around to get all the voters they could.
Question. How many times were you in the line that day?
Answer. I was not in the line at all but once, and then I went through.
Question. Who else can you identify in your mind that you saw in the line, besides that one man?
Answer. Well, if we had only the same sight over again, I could pick them up very handy, but a great many of them has shirked away; we can't find them.
Question. Have you been out to look for them?
Answer. Yes, sir.
Question. Where did you look for them?
Answer. All around this section of the town.
Question. What districts?
Answer. In this district, for one.
Question. Can you recollect one man that you saw in the line in this district after he had voted?
Answer. There's a great many men here that I can't find.
Question. I ask you if you can identify one man that you saw in the line of voters in the third district after he had voted?
Answer. No, sir; I don't mind of one in this district.
Question. If you didn't see any such persons there, who were you looking for then?
Answer. I don't understand your question.
Question. You told me you had been looking for them, and then I asked you who you were looking for when you were looking for them, and I want you to answer that question. You said first, that you had been looking to try and find the persons you saw in the line after they had voted. You said further, that you had looked for them in the third district; and you then said, in answer to another question, that you couldn't identify in your mind any person that you saw in the line at the third district poll after he had voted. Now, you having made those three statements, I want to know who you were looking for when you looked for those people in the third district?
Answer. Well, sir, I looked for several parties. So as that you will understand it, I will give you one man's name and residence that I have been looking for—looked quite considerably for him. His name is Edward Conrey, 319 East Thirtieth street—voted from the third district—never lived in the house, and the man that lives in the house has lived there for the last two years and better.
Question. Did you ever see Mr. Conrey?
Answer. No, sir. Hold on: I do know a man by that name; I believe the only man, too, on this side of the town.

Question. Did you see him in the line of voters at the polls on election day?

Answer. No, sir.

Question. Then I take it that you were not looking for him as one of the persons you saw in the line.

Answer. No, sir; I was not on that occasion. It was on the occasion of voting in that district, and not living in it. That is what I had reference to.

(Question repeated.)

Answer. What I mean by looking is what I have stated. I answered the question, that I had not recognized any man that I saw the second time in the line in the third district. I said again that I saw, and was looking after, a man; I gave the name of the man that I had been looking for; that was what I was referring to.

Question. Do you or not adhere to your former statement, that you had looked to find men whom you saw in the line of voters at the third district poll after they had voted?

Answer. Well, my head is generally pretty clear, but I don't rightly understand you yet, and I would not to-night.

His HONOR:

Question. I understood you to say that after men had voted you saw them in the line, and that they were in the line for the purpose of creating the impression that they had been kept from voting.

Answer. That was my opinion.

Question. You said afterwards that you went to look for these men?

Answer. What I meant by looking I have stated.

Question. Do you mean that you looked for them on the day of the election, or since?

Answer. No; since.

Mr. WATERBURY:

Question. Have you ever, at any time, either on the day of the election or since, looked in any district, or in any place, to try and find a man that you saw standing in the line of voters, in any district, after he had voted?

Answer. No, sir.

Adjourned to Tuesday evening next, at 7 o'clock.

TUESDAY, *March* 7, 1865.

Francis Duncan sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 243 Thirtieth street.

Question. Between what avenues?

Answer. Near Second avenue.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where did you vote?

Answer. On the corner of ———, where the poll was held. It was near Simmons's rum store; I think on the corner.

Question. Fitz Simmons's?

Answer. Yes, sir.

Question. For whom did you vote?

Answer. William E. Dodge.

Mr. WATERBURY:

Question. Which side of Thirtieth street do you live?
Answer. On the left-hand side of the way as you go up.
Question. The north side or the south side going towards the river?
Answer. Yes, sir; towards the river on the left-hand side.
Question. Where did you get your ticket that you voted?
Answer. I got it in Fitz Simmons's.
Question. Of whom?
Answer. Indeed I hardly recollect who I got it from.
Question. Got it at the polls?
Answer. Yes, I think I did.
Question. Did you vote a full set of tickets?
Answer. Yes, sir.
Question. Did you read your tickets?
Answer. I did.
Question. Every one?
Answer. Yes, sir.
Question. What name did you read on the congressional ticket?
Answer. Well, I think it was William E. Dodge.
Question. Are you sure?
Answer. Yes, I am certain.
Question. Where were you born, Mr. Duncan?
Answer. I was born in the island of Bute.
Question. When did you come to this country?
Answer. Well, I could not state the year, but it is about thirty-five years ago.
Question. How many years have you been naturalized?
Answer. I was naturalized when Jackson was elected President.
Question. Do you ever make any bets?
Answer. No, sir; I never bet any more than a cent; I have bet a cent.
Question. Did you bet a cent at the last election?
Answer. No, sir; I was almost certain that it would be carried without any betting on my part.

FRANCIS DUNCAN.

Attest: JOHN R. BRADY, *J. C. P.*

Robert P. Duncan sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 243 East Thirtieth street.
Question. Did you vote on the 8th of November last for member of Congress?
Answer. I did, sir.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom?
Answer. I voted for William E. Dodge.

Mr. WATERBURY:

Question. How is it with you—do you ever make any bets, Mr. Duncan?
Answer. No, sir.
Question. Where were you born—in this country?
Answer. Yes, sir.
Question. How long have you lived at 243 Thirtieth street?

Answer. We have lived there about three and a half years, sir—between three and four years.

Question. Who did you get your tickets of on the day of election?

Answer. I got them at the boxes—the republican boxes.

Question. Did you vote a full set of tickets?

Answer. I did; yes, sir.

Question. Did you read your tickets all through?

Answer. I did, sir.

ROBERT P. DUNCAN.

Attest: JOHN R. BRADY, *J. C. P*

Edward C. Morse sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 229 East Thirtieth street.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. I did, sir.

Question. Where?

Answer. I voted on the corner of Thirty-first street, I think it was, and Second avenue.

Question. For whom did you vote?

Answer. Mr. Dodge.

Mr. WATERBURY:

Question. How long have you lived there?

Answer. I have lived there a little over a year, sir.

Question. Where did you live previous to that?

Answer. I lived in West Tenth street.

Question. Where were you born?

Answer. In New York, sir.

Question. Do you ever make any bets?

Answer. Not on the election; no, sir.

Question. You didn't this election?

Answer. No, sir.

Question. Where did you get your tickets?

Answer. I got them at the polls—one of those election booths outside.

Question. Did you read your tickets through?

Answer. Yes, sir.

Question. Every one?

Answer. I think I did; yes, sir.

Question. Are you positive?

Answer. Yes, sir.

Question. How many tickets did you vote?

Answer. I voted a full ticket.

Question. How many were there?

Answer. I don't remember.

Question. How many do you think?

Answer. I could not say how many I thought.

Question. Did you see a ticket put in every box?

Answer. Yes, sir.

Question. Who did you hand your tickets to?

Answer. To the men behind the boxes, of course.

Question. To the inspectors?
Answer. Yes, sir.

Mr. PHELPS:

Question. With what party do you generally vote?
Answer. That's something I won't tell you; I don't vote for any party, to tell the truth; for whatever party I feel like.

E. C. MORSE.

Attest: JOHN R. BRADY, *J. C. P.*

Robert Ray sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 217 East Thirtieth street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes, sir.
Question. Where?
Answer. At the corner of Thirty-first street and Second avenue.
Question. For whom?
Answer. Mr. Dodge.

Mr. WATERBURY:

Question. How long have you resided there?
Answer. I have resided there between two and three years.
Question. Where did you reside previous?
Answer. I lived in Twenty-seventh street for two or three years previous.
Question. Where were you born?
Answer. I was born in Ireland.
Question. When did you come to this country?
Answer. In 1827.
Question. Ever naturalized?
Answer. Yes, sir.
Question. When?
Answer. I forget the year.
Question. About what time?
Answer. About fifteen years ago.
Question. What court?
Answer. Down at the city hall.
Question. I know there's a great many courts there; what judge?
Answer. I don't remember; I don't remember the judge neither; although I have got my papers in the house.
Question. Ever make bets?
Answer. No, sir; I am not in the habit of betting.
Question. Did you bet on this election?
Answer. No, sir; I am no politician.
Question. Where did you get your tickets?
Answer. I got them at a box on the Second avenue on the morning of the election.
Question. How many tickets did you get?
Answer. Well, I didn't count them; I got what I considered the full ticket.
Question. Do you know whether you voted the full ticket?
Answer. Yes, sir—that is, so they said, them that was behind the counter, that took them in.

Question. Behind what counter?
Answer. In the store where they took in the tickets.
Question. Do you mean the inspectors?
Answer. Yes, sir.
Question. Did you see them put a ticket in each box?
Answer. Yes, sir.
Question. Did you read your tickets before you voted?
Answer. I didn't read them all; but I seen Mr. Dodge's name there
Question. What ticket did you see Mr. Dodge's name on?
Answer. On a republican ticket.
Question. Was it on a State ticket?
Answer. I forget how that was.
Question. What Dodge did you see on the ticket?
Answer. William E. Dodge.
Question. What ticket did you see it upon?
Answer. That I forget.
Question. Was it on an electoral ticket?
Answer. I am not politician enough to know as to that.
Question. Was it on a city ticket?
Answer. It was what I considered a city ticket.
Question Do you know what ticket it was on?
Answer. No.

ROBERT RAY.

Attest: JOHN R. BRADY, *J. C. P.*

Warren S. Taylor recalled.

Mr. WATERBURY:

Question. Did you take an active part in the last election?
Answer. Yes, sir, somewhat.
Question. You say you were at all the city districts—that was from one to seven in the ward?
Answer. Yes, sir.
Question. Who had charge of those districts for the republican side?
Answer. Of which district do you mean?
Question. Beginning at the first, and going up to the seventh.
Answer. I couldn't call them by name.
Question. Can you state as to any district who had charge of it?
Answer. I couldn't remember; I couldn't call them by name now.
Question. Can you state the name of the person who had what is called charge of the districts on behalf of the republican party, or any candidate of that party, in the first, second, third, fourth, fifth, sixth, or seventh district of the Twenty-first ward, on the day of the last general election, the 8th of November, 1864?
Answer. No; I can't just think of any of their names just now.
Question. Do you belong to the republican organization in the ward?
Answer. Yes, sir.
Question. How long have you belonged to it?
Answer. I don't know just how many years; some time.
Question. Ten years?
Answer. Somewhere thereabout, I suppose.
Question. How long have you lived in the ward?
Answer. Well, since it has been a ward—the eighteenth.
Question. How many years is that?

Answer. I believe that was '52 or '53.

Question. Have you belonged to the republican organization ever since it has een a ward?

Answer. I believe pretty much ever since there has been one.

Question. What connexion had you with the republican organization at the ime of, and previous to, the presidential election last fall?

Answer. Nothing materially.

Question. Did you hold any office under it?

Answer. No, sir.

Question. What does the republican organization in the ward consist of?

Answer. Men.

Question. I know, of course, all political organizations consist of men; but what was the form of organization?

Answer. I don't know what you have reference to.

Question. Is there a committee?

Answer. I believe there is, sir.

Question. Do you know?

Answer. No, sir; I don't know.

Question. Is there an association?

Answer. There is.

Question. Do you belong to it?

Answer. I do.

Question. Has that association any committees?

Answer. I think it has.

Question. Do you know?

Answer. I do not.

Question. Did you belong to any committee last fall?

Answer. No, sir.

Question. How came it that you took charge of these seven districts at the election?

Answer. That's easily explained: a gentleman asked me to superintend those districts.

Question. Who was that gentleman?

Answer. D. T. Marshall, I believe, is the man's name, sir.

Question. What was the inducement for you to take charge of those districts?

Answer. Nothing more than my ambition.

Question. Ambition for what?

Answer. To see the party run straight through.

Question. Do you hold any office?

Answer. No, sir.

Question. Did you last fall?

Answer. No, sir.

Question. Did you ever hold any?

Answer. I have.

Question. What is your business?

Answer. My occupation? I am a mechanic, sir; a carpenter.

Question. Master carpenter or journeyman carpenter?

Answer. Well, I might term myself a master; I am boss of my business; I understand the business.

Question. Do you carry on business on your own account as a carpenter, or employed by somebody else?

Answer. I am either one, sir.

Question. How do you work?

Answer. Well, when I worked at it I was employed by other men.

Question. When have you worked at the business?

Answer. I done a little small job some two weeks ago.
Question. How long did that job last?
Answer. Two or three days.
Question. When did you work at the business previously?
Answer. That is a number of years ago, I believe; not followed as a business since 1853, I think it was.
Question. What was your occupation last fall—the fall of the year 1864?
Answer. I was not doing much of anything.
Question. Are you a man of property?
Answer. No, sir.
Question. Then how do you support yourself?
Answer. Well, I happen to have a little money.
Question. What was the last work that you have done, previous to this little job that you had, that took two or three days, two weeks ago?
Answer. Steady employment?
Question. Any work; I have not limited the question at all.
Answer. Well, I have been all the time more or less engaged with a brother of mine; that is, lending him a hand; I don't call it employment; I am in there most every day that I go down town.
Question. What is his business?
Answer. A baker; and a lunch-room, 36 Liberty street, right side of the post office.
Question. Does he pay you for your services?
Answer. He does when I do anything for him.
Question. When was the last work you did for him for which you were paid?
Answer. Well, as I say, it's a very few days ago; I got some money from him yesterday.
Question. Previous to that, when did you do any work?
Answer. Well, I have been more or less engaged there ever since last June.
Question. How much did he pay you for work last year?
Answer. Well, I haven't got that down as I know of—not altogether.
Question. About how much?
Answer. I couldn't state the price.
Question. Did he pay you as much as $100?
Answer. I guess he has.
Question. Last year, during the year 1864?
Answer. Yes, sir.
Question. Did he pay you as much as $200?
Answer. I couldn't say.
Question. Do you think he did?
Answer. I couldn't say.
Question. How much did he pay you in the year 1863?
Answer. Well, that I couldn't say.
Question. Did he pay you as much as $100?
Answer. I couldn't say.
Question. At the beginning of the year 1863, how much money had you of your own?
Answer. Well, I don't know whether that belongs to the court or not, to know how many dollars I had. Judge, I appeal to you to know if that's just, inquiring into my domestic affairs.
Question. Now, if you will answer my question how much money you had at the beginning of the year 1863?
Answer. I don't know, sir.
Question. Had you $100?
Answer. I don't know, sir.
Question. Had you $200?

Answer. I don't know, sir.
Question. Where do you reside?
Answer. 135 East Thirty-fifth street.
Question. Are you a man of family?
Answer. Yes, sir.
Question. How large a family?
Answer. Nine, I believe there is. There is six children, an old lady, and a wife, and myself.
Question. Do you keep house?
Answer. Yes, sir.
Question. Do you rent the house, or own it?
Answer. I rent it, or part of it.
Question. What is the rent?
Answer. I don't know that that belongs to you, sir.
Question. You can answer the question or not; I will wait until you get ready to answer it.
Answer. All right; I refuse to answer that question, because it is touching my domestic affairs.
(Counsel for Mr. Brooks refuses to continue the examination of the witness, because he refuses to answer the question which has been put to him; also protests against the witness signing the testimony, or its being returned to Congress. Counsel further protests against any other questions being put to the witness until he shall have answered the question already asked him on the part of Mr. Brooks.)

Mr. PHELPS:

Question. Why did you refuse to answer the last question asked by Mr. Waterbury?
Answer. Because I don't think it concerns the court, nor the parties. I was engaged to give testimony in relation to this contested seat between Mr. Dodge and Mr. Brooks, and don't think my family affairs have anything in relation to it whatever.
Question. Are you willing to answer all the questions?
Answer. Yes, sir; everything pertaining to the points.
Question. Do you know a voter of this third district by the name of John Miller?
Answer. I do, sir.
Question. Do you know where he resides?
Answer. I believe he resides in Second avenue, between Thirtieth and Thirty-first streets, I believe it is.
Question. Do you know the number?
Answer. I think I have it in my book, (referring to book,) 546 Second avenue.
Question. What is the state of Mr. Miller's health?
Answer. Very miserable, sir.
Question. Is he able to be out?
Answer. No, sir; I don't know whether he is living now. I was there a few days ago.
Question. Had you any conversation with him in regard to this election?
Answer. I had, sir.
Question. Did you ask him which candidate he voted for?
Answer. I did.
Question. What did he say?
Answer. He says: "Taylor, you know I vote the whole black republican ticket."
Question. Did he say distinctly that he voted for Mr. Dodge?

Answer. I don't remember as he said directly that he did. He repeated two or three times that he voted the whole black republican ticket; and his daughter, she came in at the same time to the room, and says she, "Pa," says she, "I know you wouldn't vote anything else."

Question. Do you know a voter in this district named John McGowan?

Answer. Yes, sir.

Question. Where does he live?

Answer. He lives 113 this street; right opposite here, in that first brick house.

Question. Do you know whether he voted for member of Congress?

Answer. He told me that he voted for William E. Dodge.

Mr. WATERBURY:

The witness having made certain statements, I want it noted that I asked the witness a question for the purpose of showing, by the course of the examination I was pursuing, that the witness was living at a large expense, having no property, earning no money in any amount at all adequate to his support, and having no honest and visible means of support, for the purpose of showing thereby that the witness was unworthy of belief and credit.

Mr. PHELPS:

Question. Did you state that your occupation was a carpenter?

Answer. I did, sir.

Question. Do you consider that that is an occupation which is neither honest nor reputable?

Answer. I consider it is an honest and worthy one.

Question. Have you ever begged?

Answer. No, sir.

Question. Have you ever received money as charity?

Answer. I don't think I have, sir.

Question. Have you ever stolen?

Answer. No, sir.

WARREN S. TAYLOR.

Attest: JOHN R. BRADY, *J. C. P.*

Francis Smith sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 166 East Thirty-fifth street.

Question. You lived there on the 8th of November last, Mr. Smith?

Answer. Yes, sir.

Question. Did you vote for member of Congress?

Answer. Yes.

Question. For whom do you think you voted?

Answer. I can't answer that question. I can't swear for whom I voted.

Question. For whom did you purpose to vote?

(Objected to.)

Answer. I made up my tickets with William E. Dodge for Congress.

Question. Did you purpose to vote for him?

Answer. Yes.

Question. Why can't you swear that you did vote for him?

Answer. For the reason that I was changing my tickets for assembly, and that my tickets went into other hands before I deposited them at the ballot-box.

Question. So that you are unable to swear that you voted for him?

Answer. Unable to swear, sir.
Question. But you are willing to swear that you intended to vote for him?
Answer. Yes, sir.

Mr. WATERBURY:

Question. How long have you lived there?
Answer. About four years next May, in Thirty-first street.
Question. Where were you born?
Answer. Ireland.
Question. When were you naturalized?
Answer. I believe it was in 1854 or 1855. I won't be certain.
Question. Do you know what court or judge?
Answer. It was the superior court, I believe; no, it was the court of common pleas, I believe.

FRANCIS SMITH.

Attest: JNO. R. BRADY, *J. C. P.*

Nathaniel Burchell recalled.

Mr. WATERBURY:

Question. Is the Francis Smith that you referred to as the democrat who said he voted for Dodge, the Francis Smith who was sworn here to-night as a witness?
Answer. Yes, sir.
Question. Is the Thomas Roche, the witness who was here to-night, and refused to be sworn, the person to whom you referred previously?
Answer. Yes, sir.
Question. Is the John Roche the same that was here the last meeting, and who testified that you agreed with him to vote for McClellan if he voted for Dodge?
Answer. He didn't say that I agreed; he said I laughed.
Question. Do you say he didn't say on his examination that you agreed to vote for McClellan?
Answer. I understood him to say that I laughed.
Question. I ask you if you say that he didn't say, during his examination, that you agreed or promised to vote for McClellan as President, if he voted for Dodge for Congress?
Answer. He qualified that, and said that he laughed afterwards.
Question. I ask you whether he said that?
Answer. I don't exactly recollect that he said that, but I heard him say that I laughed.
Question. You heard his examination?
Answer. I did.
Question. I want an answer to the question, whether he didn't say, in the course of his examination, that you promised or agreed to vote for McClellan if he voted for Dodge?
Answer. Well, now, if my recollection serves me, I believe he did say, but he qualified it afterwards by saying that I laughed.
Question. Now, why didn't you vote as you agreed?
Answer. I didn't agree to it.
Question. What conversation took place between you and Mr. Roche in relation to your voting for McClellan?
Answer. Indeed I can't recollect that there was much of anything. I asked him to vote for Mr. Dodge.

Question. I asked you what conversation took place in relation to your voting for McClellan?

Answer. I asked him to vote Mr. Dodge's ticket; he said he would if I voted for McClellan, and I laughed at that; and when I was going away I said, "Will you vote for him?" And "Yes," says he, "I will." So I gave him Mr. Dodge's ticket, and he did.

Question. Is that all that you said to him in relation to voting for McClellan?

Answer. That's all, to my recollection.

Question. Do you swear that you believe that that is all that you said in relation to voting for McClellan?

Answer. I do, sir.

Question. Did you vote for McClellan?

Answer. No, sir, I couldn't do it.

Question. Have you any better reason for supposing that John Tully or Thomas Mackay voted for Dodge than you have for supposing that Thomas or John Roche or Francis Smith voted for him?

Answer. We have the testimony of Mackay, but we have not of Tully; therefore I can't say until he comes up.

Question. You can't say that you have any better reason for saying that Tully did, than that the two Roches and Smith did?

Answer. The two Roches was examined; Tully was not examined; therefore I can't be satisfied of it.

Question. Smith and Roche very clearly proved they didn't vote for Dodge. Don't you think that it is a little singular that the men whom you named as democrats, who agreed to vote for Mr. Dodge, when they come up here and are examined, testify that they don't know who they voted for, and that their tickets were changed?

Answer. No; because there were parties around that poll that these men allowed to handle their tickets, and so they were not sure whom they voted for.

Question. Who were these men that handled their tickets?

Answer. I believe Mr. Fitz Simmons, for one.

Question. Democrats?

Answer. Yes, sir.

Question. After you gave Thomas Roche and Francis Smith and John Roche republican tickets, the democrats handled their tickets?

Answer. There is the reason they gave me that they are not sure, or that they can't swear it. I said it from their own words.

Question. Did you take an active part in this election?

Answer. I did, sir.

Question. What districts did you work in?

Answer. The third district.

Question. Did you work there all day?

Answer. Not all day. I went down to the 18th ward.

Question. How much of the time were you absent from the district?

Answer. From an hour and a half to two hours, sir.

Question. What time did you reach the polls?

Answer. In the morning, immediately after they were opened.

Question. Stayed there until when?

Answer. I didn't stop there all day. I was out about the district; I didn't stop at the place more than half an hour at a time, and left again.

Question. Where were you after the polls closed?

Answer. I went down to the Cooper Institute.

Question. What time did you get back from there?

Answer. I should say it was about 11 o'clock at night.

Question. Where did you go when you came back?

Answer. I went right home to bed.

Question. Did you read your own ticket before you voted?
Answer. I did, sir; made up a number of tickets.
Question. Could there be any mistake as to how you voted?
Answer. I guess not, sir.
Question. Who had charge of this district at the election for the republican party?
Answer. A Mr. Duncan.
Question. How many men are employed there for the republicans?
Answer. I think three men.
Question. Was that all?
Answer. That's all that I knew of being employed.
Question. Do you belong to the republican organization in the ward?
Answer. I do, sir.
Question. What connexion have you with it?
Answer. Merely member of it.
Question. Merely a private member?
Answer. Private member of it.
Question. Not an officer or member of the committee?
Answer. No, sir, I am an outsider altogether.
Question. What does the organization consist of?
Answer. An association.
Question. A ward committee?
Answer. I can't give you any information about the principles of it, more than that they are republicans.
Question. Is there a ward committee?
Answer. There may be, for what I know.
Question. You don't know what committees there are to the association?
Answer. No, sir.
Question. Is there a finance committee?
Answer. Indeed I couldn't swear there is; I suppose there is; but that's all I can say about it.
Question. Do you know who had the disbursement of the moneys for Mr. Dodge in this election, or for the republicans?
Answer. No, sir; I do not.
Question. How long have you lived in the district?
Answer. About four years and a half.
Question. I understood you to say you had been a real estate agent all the while?
Answer. Yes, sir.
Question. I understood you that Mr. Dodge had been a landlord in the district here?
Answer. Well, he owned an immensity of the property around here, and sold the lots and gave loans to the parties that built on the lots, and of course he holds the mortgages on them lots still.
Question. Did he put up any of the buildings himself?
Answer. No, sir; I don't know that he put up any.
Question. When did he sell the lots; when did he sell most of them out?
Answer. At different periods; he sold ten lots to my brother about four years ago.
Question. Did he sell them all out within the last six years?
Answer. I should think within six or seven years; he might have sold some of them before; he sold an immensity of them this six years past.
Question. It has been a pretty hard time for putting up buildings, hasn't it?
Answer. Just now it is.
Question. Prices were higher than usual for the last three years, were they not; people undertaking to put up buildings have been dissatisfied?

Answer. Yes, of course people will be dissatisfied with such things. There is no man satisfied to pay high prices.

Question. Has it not made it hard—made a good deal of grumbling?

Answer. Yes, because prices are so high.

Question. Have you named all the persons who voted the McClellan ticket, whom you supposed would like to vote for Mr. Dodge, that you could specify?

Answer. No, sir, I did not. There were more parties than I named—that is, they told me they voted for Mr. Dodge, and I have reason to believe them until I hear them say to the contrary—more than I stated that night.

Question. Then you can name others than those you have named?

Answer. I think so, sir.

Question. Have you rented houses, or acted for any other landlord owning property in this district, except for Mr. Dodge?

Answer. Yes, sir, I act for other parties also.

Question. Who?

Answer. Well, I act for Mr. John Forrest.

Question. Who did he buy from—from Mr. Dodge?

Answer. Well, he owns some property there too. He didn't exactly buy from Mr. Dodge; my brother bought from Mr. Dodge, and Mr. Forrest and me we built on the lots that my brother bought from Mr. Dodge.

Question. Did the Phelps estate own the whole of the third district?

Answer. No, I don't suppose it owned the whole of it. It owned that part between the First and Second avenues, and from Second avenue, I believe, up to the Third avenue, and went further along—I believe to Twenty-ninth or Thirtieth street.

Question. Can you not tell me about what the boundaries of Mr. Phelps's farm were?

Answer. I could not, sir.

Question. Do you know how far north it went?

Answer. I believe it went as far north as Thirty-sixth street.

Question. And as far south as what street?

Answer. It went to Twenty-ninth, and I believe to Twenty-eighth street.

Question. And as far west as what street?

Answer. I believe Third avenue was the bounds.

Question. And extended all the way down to the river?

Answer. I believe so. I am giving you this as my belief.

Question. Were the lots that the Phelps estate had in the fourth and fifth districts sold out in the same way that they were sold in the third?

Answer. I believe all the property they had was sold pretty much in the same way.

Question. Was the property they owned in the second district sold in the same way?

Answer. Yes, part of it was sold that way.

Question. Was there any reason for supposing that Mr. Dodge would run better among people who bought lots of the Phelps estate in the third district than he would among people who bought lots of the Phelps estate in the second, fourth and fifth districts?

Answer. There was more of the Phelps estate in the third district than there was in the second, because it was only partly in the second, and the entire third district pretty much belonged to the Phelps estate.

Question. And the entire fourth district pretty much too, didn't it?

Answer. Well, I am not posted as well on the fourth as on the third. That is my belief, but I can't positively say it. I know about the third district, because there I pretty much know all the houses.

(Mr. Dodge, at the request of counsel for Mr. Brooks, states that the farm referred to extended from Twenty-ninth to Thirty-first streets, and from nearly

the line of Third avenue to the East river; also that he owned additional property in Thirty-third street, on both sides of the way, from the Second avenue to the Third.)

Question. I would like to ask if you know reasons why Mr. Dodge should run better among purchasers from the Phelps estate in the third district than he should in the second and fourth?

Answer. Well, because there was more of the property—I mean proportionately. I should think he ought. We were always calculating that he would run ahead of the ticket there.

Question. Do you know any better reason why a man living on the north side of Thirtieth street, on a lot purchased from the Phelps estate, should vote for Mr. Dodge, than there was of a man living on the south side of Thirtieth street, on a lot purchased from Mr. Dodge, should vote for him?

Answer. I think there was, in my opinion.

Question. What was it?

Answer. That one man was dealing with Mr. Dodge, and the other man was not.

Question. Do you know of any better reason why a man living on the north side of Thirtieth street, in the third district, on a lot which he purchased from the Phelps estate, through Mr. Dodge, should vote for him, than there was why a man living on the south side of Thirtieth street, on a lot which he purchased from the Phelps estate, through Mr. Dodge, should vote for him?

Answer. Why, certainly not. One has as good a right to vote for him as the other, because he dealt equally alike with them.

Question. Then if the number of lot-holders from the Phelps estate, through Mr. Dodge, were as great in the second district as they were in the third district, you would have expected Mr. Dodge to have run as well, relatively to the republican electoral ticket, in the second district as you would in the third?

Answer. Yes, provided there was the same number of lots bought from him. I don't think he would, because I don't think the same exertion was made in the second district as in the third.

Question. Who were the efficient men working for Mr. Dodge in the third district?

Answer. Well, there were some of his friends working there for him.

Question. Who were they?

Answer. I worked there myself pretty well.

Question. Who else?

Answer. A young man named Livingston worked there pretty hard for him.

Question. Who else?

Answer. I don't know of any one else.

Question. How was it in the second district—was he without friends there?

Answer. I suppose he was not: I don't know who had charge there.

Question. Then why should you say that he was worked for better in the third than in the second?

Answer. Well, I know what was done there, and I don't know what was done in the second.

Question. Then you are not in a situation to give an opinion as between the two districts?

Answer. I am not in a situation to give clearly my opinion there, more than I thought he ought to run better in the third district than in any other district in the ward.

Question. Then you are not in a situation, from want of knowledge in respect to the second district, to speak of the two districts comparatively, are you?

Answer. The second district is peopled by a class of men that I think would

be likelier to vote for Mr. Dodge, taking them in a general run, than the people that inhabit the third district.

Question. Would be more or less likely?

Answer. More likely; and I suppose that is the reason why there was not the exertion used there that there was in the third.

Question. Did not Mr. Dodge have in the second district a powerful aid of Mr. Walker?

Answer. I don't know. If Mr. Walker resides in that district, of course——

Question. Isn't he an earnest friend of his?

Answer. I believe he is—if his position could afford him to spend the time. I don't know whether it could or not. I don't know whether he worked any before election or not.

Question. Did you attend any meetings, previous to this election, to aid the election of Mr. Dodge?

Answer. I did, some.

Question. Where were they held?

Answer. At the republican rooms in Fourth avenue.

Question. Did you attend meetings anywhere else?

Answer. I was at another meeting on the corner of Thirty-third street and Broadway.

Question. Did you attend any others?

Answer. I don't know that I did.

Question. These were all republican meetings, or meetings of the republican association, were they not?

Answer. Yes, sir.

Question. Did you attend any private meetings in relation to finances?

Answer. No, sir.

Mr. PHELPS:

Question. Do you know John Roche, 164 Thirty-first street?

Answer. I do, sir.

Question. Did you ever have any conversation with him in reference to this election?

Answer. I have.

Question. Is he a voter of this third district?

Answer. He is.

Question. Did he ever say for whom he voted for member of Congress?

Answer. He did, sir.

Question. For whom did he say he voted?

Answer. He said for Mr. Dodge; and his son told me the same.

Question. Do you know Thomas Roche?

Answer. I do.

Question. Does he live with his father?

Answer. He does.

Question. Did he himself tell you personally that he voted for Mr. Dodge?

Answer. He did, sir, more than once.

Question. Did he tell you three times?

Answer. He did, sir. He promised to come up here three or four times, and each time he repeated that he did, and would come up, only that he was engaged in the course of the other nights; and I was very much disappointed when I heard his evidence here to-night.

Mr. WATERBURY:

Question. Is this Thomas Roche of whom you speak the same Thomas Roche who was here to-night, who refused to be sworn?

Answer. Yes, sir.

Question. Did you hear him state here, in the presence of the judge to-night, that he didn't want to be sworn, because he couldn't say for whom he voted for Congress?

Answer. I did, and I was astonished at it, because he told me, not more than an hour before that, that he did vote for Mr. Dodge, and that he would come up here.

Question. Didn't you hear him say that he didn't know whether he voted for member of Congress at all?

Answer. He said that he was not sure whether he voted that ticket.

Question. Do you know for whom he voted?

Answer. No, sir, more than his own words.

Mr. PHELPS:

Question. Did you hear Roche, the father, say in the presence of the court, but when not under oath, that his son told him he would vote for Mr. Dodge; that he was a suitable man, &c.?

Answer. I did, sir.

Mr. WATERBURY:

Question. Do you think the father has any better knowledge as to whether the son voted for Mr. Dodge than he has as to whether he voted for Mr. Dodge?

Answer. Nothing more than making up his son's ticket, as he says.

Question. If the father didn't know for whom he voted for Congress himself, are you surprised that he didn't know for whom his son voted?

Answer. I gave you an explanation of that a few minutes ago, that his votes were changed after they went in. They intended to vote for Mr. Dodge, but other tickets were substituted in their place.

Mr, PHELPS:

Question. Do you mean to say that you believe their tickets were changed?

Answer. I do.

Question. How do you know their tickets were changed?

Answer. Well, I heard it—from reports—that these men, some of the parties there, asked them for their tickets—to show them to them, and that they substituted other tickets in the place of them.

Mr. WATERBURY:

Don't you know Thomas Roche and John Roche to be out-and-out democrats and McClellan men?

Answer. I do.

NATHANIEL BURCHILL.

Attest: JOHN R. BRADY, *J. C. P.*

Cornelius B. Parker sworn. (Objected to. See page 10. Also objected to upon the ground that his name is not upon the list of witnesses, C. H. Barker being put down as C. H. Parker.)

Mr. PHELPS:

Question. Where do you live?

Answer. 437 Third avenue.

Question. Between what streets?

Answer. Thirty-first and Thirty-second.

Question. Did you vote for member of Congress?

Answer. I did, sir.

Question. Where?
Answer. In the third district.
Question. For whom?
Answer. William E. Dodge.

Mr. WATERBURY:

Question. Whereabouts did you vote?
Answer. Thirty-first street and Second avenue.
Question. How long have you lived at 437?
Answer. About nine years, I think.
Question. Where did you reside previously?
Answer. Thirty-second street, in the same ward.
Question. How long have you lived in the ward?
Answer. Between nine and ten years, I think.
Question. Ever make any bets?
Answer. I do sometimes.
Question. Did you bet on the election last November?
Answer. That is something I never do, betting on elections.
Question. Did you bet on the last November election?
Answer. No, sir.
Question. Where did you get your tickets?
Answer. Of my friends I got them.
Question. When?
Answer. The night before election; also on election day.
Question. I want to know as to the particular ticket you voted?
Answer. Well, I got so many of them I couldn't name them Some I got out of the boxes here, and some from my friends, packages of them, and used them all, too, pretty much.
Question. How many did you use?
Answer. I used a few.
Question. About how many?
Answer. I used one myself.
Question. Where did you get that particular ticket from?
Answer. I didn't note it down.
Question. What time of day did you vote?
Answer. About half-past 1, I think it was.
Question. What tickets did you vote?
Question. I voted the State ticket and the congressional. I guess that was about all I voted.
Question. Didn't you vote the electoral ticket?
Answer. I did.
Question. Now, all these tickets that you procured and distributed, how many of them did you read?
Answer. I read every one I gave out, sir. I see whether they were all right.
Question. Did you read the whole electoral ticket all through, every one of them?
Answer. Of course I did.
Question. Were you able to tell whether it was right or not?
Answer. It suited me. I don't know whether it suited you or not.
Question. I want to know if you are sure it is what is called a black republican ticket?
Answer. I know nothing at all about the black republican ticket.
Question. What electoral tickets were they that you gave out—what side—what do you call them?
Answer. I call them republican tickets, of course.

Question. Did you read the tickets all through?
Answer. I read all through. Go on.
Question. You say you gave out a great many tickets?
Answer. Well, yes; I did.
Question. You say you read every ticket you gave out?
Answer. Certainly; I did.
Question. And you read every electoral ticket through that you gave out?
Answer. Of course I did; I looked at them, of course, to see if they were all right; if they were all right they went ahead.
Question. You know that every one of them was the straight republican ticket?
Answer. I think it was, sir.
Question. When did you read the ticket you voted?
Answer. When I got in the line here I looked at it to see whether it was right or not, and I held them in my hand there; they were there; they couldn't get away from me; I had 'em tight.
Question. Did you have any democratic tickets in your hand at any time?
Answer. No, sir; I didn't; no time.

C. B. PARKER.

Attest: JNO. R. BRADY, *J. C. P.*

Robert G. Hatfield sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside?
Answer. Thirtieth street.
Question. What number?
Answer. 225 East Thirtieth.
Question. Did you vote on the 8th of November last for member of Congress?
Answer. Yes, sir.
Question. In this third district, Twenty-first ward?
Answer. I voted at the corner of Thirty-first street and Second avenue.
Question. Do you know for whom you voted?
Answer. Yes, sir.
Question. For whom?
Answer. Mr. William E. Dodge.

Mr. WATERBURY:

Question. Where did you get your ticket that you voted?
Answer. I got it at my dwelling; it was handed in; I don't know who brought it there.
Question. When did you receive it?
Answer. I don't remember whether it was the night before or that morning.
Question. What did you do with it after you received it?
Answer. I put it in my vest pocket.
Question. Did you read it?
Answer. Yes, sir.
Question. When did you read it?
Answer. I read it at the house.
Question. Did you read it afterwards?
Answer. Well, I don't remember that I did; perhaps I did.
Question. When did you take it out of your vest pocket afterwards?
Answer. When I was ready to vote, after waiting about an hour and a half in the line.

Question. Didn't you have any but one ticket in your vest pocket?
Answer. No, sir.
Question. Didn't you have any other ticket during the election, before you voted?
Answer. I had other tickets handed in at the house, and selected the ticket that I wished to vote for, and put them in my pockets; the others I left at home.
Question. Did you have any other tickets in your hand between the time you made that selection and the time you voted?
Answer. No, sir.
Question. How many tickets did you have?
Answer. I don't remember how many there were, I voted the full ticket; I voted the full set, one for each ballot-box.
Question. Did you see one put in each ballot-box?
Answer. I did, sir.
Question. Do you remember distinctly whose name was on the congressional ticket that you voted?
Answer. I do, sir.
Question. How long have you resided in Thirtieth street there?
Answer. About four years.
Question. Do you ever make any bets?
Answer. Never.

R. G. HATFIELD.

Attest: JNO. R. BRADY, *J. C. P.*

Isaac H. Labagh sworn. (Objected to. See page 10. Also objected to as not upon any list of witnesses.)

Mr. PHELPS:

Question. Where do you live?
Answer. 149 this street, sir, East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom did you vote?
Answer. William E. Dodge, for Congress.

Mr. WATERBURY:

Question. How long have you lived there?
Answer. About four years, sir.
Question. Where did you get your tickets that you voted?
Answer. I got my ticket just above this street, in the Second avenue, out of a box.
Question. Did you read them?
Answer. I did, sir.
Question. Did you vote a full set of tickets?
Answer. Yes, sir; I read them all over—every ticket—and gave them to my brother to read likewise.
Question. Did you see a ticket put into every box at the polls?
Answer. I did, sir.
Question. You are sure you voted a full set of tickets?
Answer. I am, sir.

Question. Do you know how many tickets there were in a set?
Answer. I don't remember now, sir; five or six, I think it was.
Question. Do you ever make any little wagers on elections?
Answer. No, sir; no time.

J. H. LABAGH.

Attest: JNO. R. BRADY, *J. C. P.*

Adjourned to Thursday, March 9, 1865, at 7 o'clock a. m.

THURSDAY, *March* 9, 1865.

George R. Turnbull sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 128 East Thirty-second street, old number; the new number is 222.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did.
Question. Where did you vote?
Answer. At the corner of this street and Second avenue.
Question. For whom did you vote?
Answer. I put in tickets supposed to be for Mr. Dodge. I had my tickets all examined; I usually examine my tickets before I put them in.
Question. Who gave you the tickets you voted?
Answer. Mr. Duncan; I found my tickets were gone, and he gave me a set of tickets?
Question. Do you know if you voted the whole?
Answer. Yes, sir; I voted the whole.
Question. Do you believe you voted for Mr. Dodge?
(Objected to.)
Answer. Yes, sir; I could not say positively that I did not look at the tickets then; those that he gave me I am even in doubt what ticket it was. I know I got them from Mr. Duncan.

Mr. ANTHON:

Question. You don't swear positively that you looked at them before you voted?
Answer. No, sir.

GEO. R. TURNBULL.

Attest: JNO. R. BRADY, *J. C. P.*

Charles E. Clark sworn. (Objected to. See page 10. Also objected to as not appearing upon the list of witnesses.)

Mr. PHELPS:

Question. Where do you live?
Answer. 154 East Thirty-first street.
Question. Has it any other number?
Answer. No, sir, not that I know of.
Question. Did you vote for member of Congress on the 8th of November last?

Answer. I did.
Question. Where?
Answer. On the northeast corner, I think it was, of Second avenue and Thirty-first street.
Question. For whom?
Answer. I voted for Mr. Dodge.

Mr. ANTHON:

Question. Where did you get the tickets you voted at that election?
Answer. I got some from Mr. Duncan, and some from ——, I forget his name now; he had a box round here —— Ebling. I examined them and gave out a great many of them myself.
Question. Did you see Mr. Dodge's name on the ticket you voted?
Answer. I did, sir.
Question. Were you a member of any committee or republican organization in the Twenty-first ward at that election?
Answer. No, sir.
Question. Did you take any active part in the canvass?
Answer. No, sir.

C. E. CLARK.

Attest: JNO. R. BRADY, *J. C. P.*

W. E. Waring sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 311 East Thirtieth street.
Question. Has that any other number?
Answer. No, sir.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes, sir.
Question. Where?
Answer. On the corner of Thirty-first street and Second avenue.
Question. For whom?
Answer. I voted for Mr. Dodge.

Mr. ANTHON:

Question. Did you read the ticket that you deposited?
Answer. Yes, sir; I read it.
Question. Where did you obtain them?
Answer. I got it out of the box; I got it myself.
Question. Were you a member of the republican organization of that ward, or any committee of it?
Answer. No, sir.
Question. Did you do any active work in the election?
Answer. No, sir.
Question. Had you made any bet on the subject of that election at all?
Answer. No, sir.
Question. Do you know who had charge of the financial matters in that election—by the disbursing of money or otherwise?
Answer. No, sir.

W. E. WARING.

Attest: JNO. R. BRADY, *J. C. P.*

Charles E. Leveridge sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 317 East Thirtieth street.
Question. Has that any other number?
Answer. Not that I know of.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. Corner of Second avenue and Thirty-first street.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you read the ticket which you deposited?
Answer. I did, sir.
Question. Where?
Answer. At my house.
Question. How long before you deposited it?
Answer. The night before.
Question. What was done with the ticket intermediately, between the time you read it and the time you deposited it?
Answer. It was in my pocket, sir.
Question. Were you a member of any republican organization here?
Answer. I was not, sir.
Question. Do you remember reading the name of Mr. Dodge on that ticket?
Answer. Yes, sir.
Question. You took no active part in the election.
Answer. None whatever.

CHARLES E. LEVERIDGE.

Attest: JOHN R. BRADY, *J. C. P.*

William H. Fuller sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside?
Answer. 202 East Sixteenth, or 78 East Sixteenth street.
Question. Do you know how many dwelling-houses were constructed in the Eighteenth ward in the year 1863?
Answer. Yes, sir.
Question. How many? and give the different kinds.
Answer. There were three first class and one tenement.
Question. Do you know many in 1864 in the eighteenth ward?
Answer. There were seven first class, one second class, and one tenement,
Question. Do you know, in the Twentieth ward, how many dwelling-houses were erected in 1863?
Answer. There were seven first class, one second class, and thirty-nine tenements.
Question. In 1864 how many?
Answer. There were four dwelling-houses and twenty-one tenement houses.
Question. How about the Twenty-first ward? How many tenement houses were erected in the Twenty-first ward in 1863?

Answer. There were four.

Question. Do you know the number of tenement houses that were erected in the Twenty-first ward in 1864?

Answer. There were none.

Question. In the twelfth and fifteenth districts of the Eighteenth ward were there any dwelling-houses of any description erected during the years 1863 and '64?

Answer. There were none.

Question. How do you know these facts which you have given in answer to my questions?

Answer. I know them from a personal inspection of papers furnished me by the department of the survey of public buildings in this city, and by an inspection of the printed report of that department, McGregor's department.

Question. Do you know what are the duties of this superintendent of public buildings which would lead one to suppose that he had kept a correct account of the number of houses erected?

Answer. It is a part of his duties to receive the reports of the inspectors who have districts assigned to them, and who report to him all buildings erected during the course of the year, and all the particulars about them.

Mr. ANTHON:

Question. What is your occupation?

Answer. I am a lawyer, sir.

Question. Are you in any way connected with the department of unsafe buildings?

Answer. I am not.

Question. Do you know who the inspector of buildings for this district is?

Answer. I do not.

Question. Do you know who the inspector for any other districts in the Eighteenth, Twentieth, or Twenty-first ward is? Do you know any of them?

Answer. Only one—Mr. Taylor; and I am unable to give his district. I am inclined to think it is below Twenty-seventh street, but I am not certain.

Question. Mr. Robert Taylor?

Answer. I think it is.

Question. In the Twenty-first ward, in 1863, how many dwelling-houses were there built?

Answer. There were thirty-three first class, and twenty-four second class.

Question. And the number of dwelling-houses in 1864?

Answer. Thirty-five.

Question. How did you happen to examine these lists?

Answer. Requested to do so by Mr. Phelps.

Question. Had you any special familiarity with the department of unsafe buildings?

Answer. I had not.

Question. From what source do you derive your information as to the class and character of these houses?

Answer. In papers which were furnished me, there are columns ruled, and headed "first class," "second class," and "tenement."

Question. You have no personal knowledge, then, of the character of the buildings erected?

Answer. I have not.

Question. You haven't been, I presume, at any time a builder of houses?

Answer. I have not.

Question. How do you define a first-class house, a second-class house, or a tenement house?

Answer. Do you want my definition?

Question. You assume to mention these definitions?

Answer. No; I assume to give you what was furnished me by the department of the survey of buildings, and I have given you what they called first-class, and second-class, and tenement houses. I have not assumed to give you anything from personal knowledge in regard to the character of any of the buildings.

Question. Do you know whether Mr. MacGregor, or some one in his department, was not subpœnaed to bring that information here?

Answer. I do not.

Question. Do you know the date of the papers from which you draughted these statements? Do you know when they were made?

Answer. I should say, generally, that in 1863 I got my information from papers then in the department, which I believe were not printed, and that in 1864 I had them from the printed report. That is my recollection of it.

Question. Do you know the date of that printed report?

Answer. No, sir; I can't give the date.

Question. Do you know the date of the papers you refer to?

Answer. Nothing of those beyond being in the year 1863.

W. H. FULLER.

Attest: JOHN R. BRADY, *J. C. P.*

Oscar Frisbie sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 315 East Thirtieth street.

Question. Has your house any other number?

Answer. No, sir.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where?

Answer. Corner of Thirty-first street and Second avenue.

Question. For whom?

Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you read the ticket which you deposited there?

Answer. Yes, sir.

Question. When?

Answer. I read it while in the line, before voting; I know that the name of William E. Dodge was on the ticket; I saw his name, and read it.

Question. From whom did you get your ticket?

Answer. I got it from the box, on the sidewalk, where the tickets were deposited.

Question. Did you take any other part in the affairs of that election?

Answer. No, sir; not anything, with the exception of voting.

Question. How did you happen to come here this evening?

Answer. There was a Mr. Jones left word at the house this morning with his wife, and requested that I should come here this evening, and in compliance with that request I came.

OSCAR FRISBIE.

Attest: JOHN R. BRADY, *J. C. P.*

James C. Jones sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 315 East Thirtieth street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you read the ticket you deposited?
Answer. I did.
Question. Where did you read it, and when?
Answer. Well, I think I read it soon after I took it from the box, at the corner of Thirty-first street.
Question. You read the name of Mr. Dodge upon it?
Answer. Yes, I did.
Question. Did you do anything more than vote on that occasion?
Answer. That's all.
Question. How did you happen to come here this evening—at whose request?
Answer. Well, I was invited around here some little time ago, but it hasn't been convenient to come.
Question. By whom?
Answer. I don't know the gentleman's name.
Question. Have you seen him here to-night?
Answer. No, I have not.
Question. How long had you lived in that place, Mr. Jones?
Answer. Two years, I think; near three.

JAMES C. JONES.

Attest: JOHN R. BRADY, *J. C. P.*

Nathaniel Burchell recalled. (Counsel for Mr. Brooks objects to this witness being recalled, no new notice having been served in regard to his examination.)

Mr. PHELPS:

Question. Do you know a soldier resident in this district who voted for Mr. Dodge, and who who is serving his country in the field?
Answer. I do, sir; John Perry.
Question. Where does he live when at home?
Answer. 164 East Thirty-first.
Question. Do you know with what part of our army he is now?
Answer. He enlisted in Hancock's corps.
Question. Was he here on the 8th of November last?
Answer. He was, sir.
Question. Did he vote for member of Congress in this third district?
Answer. He told me so, and I believe he did, for he was in charge of one of our boxes.
Question. Did he positively and distinctly state to you that he voted for Mr. *Dodge?*

Answer. He did. He said that he didn't want to lose his vote, and requested me to try and secure his vote. He was going off in the army and could not avoid it.

Question. When did he make this statement?

Answer. A few days before he went.

Question. How happened he to make it?

Answer. He asked me how would he secure his vote, in this contest between Mr. Brooks and Mr. Dodge. I told him I thought I could do it by stating to the judge what he said to me.

Question. Did you ever ask John McGowan for whom he voted for member of Congress?

(Objected to.)

Answer. No.

Question. Did you ever hear any one say which way Mr. McGowan voted?

(Objected to.)

Answer. No.

Mr. ANTHON:

Question. Did you see John Perry vote?

Answer. No, sir.

Mr. WATERBURY:

Question. How do you know that Mr. Perry is serving his country in the field?

Answer. Well, he is a tenant of mine, in the first place, and I know that he 'listed—at least he told me he 'listed, when he came back after he 'listed and before he went off to the island, so I believed that he did enlist in that corps.

Question. Are all your tenants serving their country in the field?

Answer. Some of them.

Question. Are they all?

Answer. No, sir.

Question. How does the fact of his being your tenant prove that he is?

Answer. It proves it to be so by the fact that he is.

Question. Does his serving his country in the field depend upon the fact of his being your tenant?

Answer. No, sir.

Question. I understood you to say that he was in Hancock's corps?

Answer. He told me so.

Question. Do you know anything about the matter of your own knowledge?

Answer. No, sir; I do not.

Question. Do you know that he has not deserted?

Answer. I can't tell anything about it. I don't believe he has.

Question. Are any of Hancock's corps in the field now?

Answer. I don't know, sir.

Question. You said that he was serving his country in the field. I ask you how you know?

Answer. I can't find him to tell me that. It is very likely, though, he didn't desert, for he was serving out his three years' term.

Question. I want to know if you can say that he is serving his country in the field now?

Answer. He told me he enlisted to go out.

Question. Why didn't you say that he merely enlisted? Is there anything by which you know that he is now serving his country in the field?

Answer. Nothing more than what I told you.

Question. Did you ever hear him express himself in relation to General McClellan?

Answer. I don't recollect that I did.

Question. Mr. Walker, who has been very active here for Mr. Dodge in this contest, testified that he only knew two soldiers who voted for Mr. Lincoln, and that he warned his political friends, when they passed the soldier's voting bill, that the soldiers would vote against them. Now, I want to know if you know anything, except Mr. Perry's statement to you, from which you can say that he did otherwise than was the general course among these soldiers, which was to vote for McClellan?

Answer. As far as my own knowledge of Perry goes, I know him to be a republican in principle, and I think he would be as far from voting the democratic ticket as I would myself.

Question. What do you mean by republican in principle?

Answer. I mean advocating the republican principles?

Question. You said republican in principle? Are not all believers in republican governments republican in principle?

Answer. Well, I suppose so.

Question. Do you say you gave Mr. Perry his ticket?

Answer. No, sir; he took them out of the box he was in charge of.

Question. Do you know anything whatever about his voting for Mr. Dodge, except his mere statement?

Answer. Nothing more.

Question. Was Mr. Perry employed that day?

Answer. He was, sir.

Question. Was he under pay?

Answer. I don't know that he was under pay.

Question. Do you know that he was to be paid?

Answer. I don't know. I didn't pay him, or see him paid.

Question. You say he was employed?

Answer. He was, sir.

Question. Who employed him?

Answer. I believe Mr. Duncan employed him?

Question. What did Mr. Duncan pay him?

Answer. I can't tell you.

Question. What did he pay other men?

Answer. I can't tell you that, sir.

Question. Did you never hear what he paid?

Answer. Never, sir; I didn't have it in charge, and didn't think it my business to inquire.

Question. Do you suppose that Mr. Perry would have been paid if he had avowed that he had voted for any other person than Mr. Dodge for Congress?

Answer. Indeed, I don't know that. I don't know whether he was paid by voting for Mr. Dodge or by voting for Mr. Brooks.

Question. Do you think that Mr. Perry would have been paid for his services that day, if he had announced that he voted for any other person for Congress than Mr. Dodge?

Answer. I told you I don't know whether he was paid or not.

Question. I ask you if you think he would have been?

Answer. I suppose he could have voted as he choosed; but whether that would have any influence upon his pay, I cannot tell.

Question. You said distinctly, awhile ago, that he was employed. When you say a person is employed, do you mean to have it understood that he was not to be paid?

Answer. Well, there's a great many employed on elections that are never paid.

Question. Men that are hired to stay in the boxes, and stay there all day?

Answer. I presume some of them do. I presume some of them would stay there without pay. Some of them I know work without pay.

Question. Who is this Mr. McGowan?

Answer. I don't know him, sir. I told Mr. Phelps so.

Question. Are you in the employ of Mr. Dodge, or have you been?

Answer. Yes.

Question. Are you now, or have you been?

Answer. I have been and am agent for part of his property?

Question. For what part of his property?

Answer. Well, immediately round here in Thirty-first street—a small part.

Question. Are you agent for his property in the second district as well as in the Third?

Answer. No, sir.

Question. What streets does your agency include?

Answer. It's between the two streets—between Thirty-first and Thirtieth—the old homestead.

Question. Only on that block?

Answer. That's all.

Question. Between what avenues?

Answer. Between First and Second avenues, and between Thirtieth and Thirty-first.

Question. Only that one block?

Answer. It is not a block at all; it is only the old homestead of the Phelps family.

Question. Only on this block—this square?

Answer. No, sir; only on the one below Second avenue.

Question. How many building lots are there upon that square, or block, upon which buildings have been erected by the aid of loans made by Mr. Dodge?

Answer. There is twelve at one side. You are asking me about the streets, now?

Question. Yes. How many on Thirtieth street?

Answer. I suppose there is about fourteen houses.

Question. On the north side of Thirtieth street?

Answer. On the north side of Thirtieth street.

Question. You have nothing to do with the south side?

Answer. No; the third district don't go on to the south side.

Question. How many on the south side of Thirtieth street, of such buildings, were erected by the aid of loans from Mr. Dodge?

Answer. Eleven.

Question. How many on the Second avenue?

Answer. Well, the whole block.

Question. How many are there?

Answer. Eight. There is more than that; I think there must be ten houses.

Question. You had nothing to do with the north side of Thirtieth street?

Answer. No.

Question. What do you mean by a building loan? Is it a case where the proprietor allows the purchase money to stand, and makes an additional loan to aid the building?

Answer. Yes.

Question. Upon how many of those houses has the loan made by Mr. Dodge been paid?

Answer. A great many of them, I suppose.

Question. State as near as you can.

Answer. I can't exactly state how other men do their business.

Question. Do you think most of them, or only a part of them?

Answer. I suppose part of them. There may be some paid up; I cannot tell.

Question. Have you been in the habit of talking with the parties to whom the loans were made?

Answer. Yes, sir; sometimes.

Question. Do you ever talk with them about the loans?

Answer. No; I never intrude in a man's private business.

Question. What do you do; collect the interest?

Answer. No; I only collect rent off a small portion of Mr. Dodge's property; just the old homestead.

Question. You do not collect any of the interest?

Answer. No, sir.

Question. How is it collected?

Answer. I cannot tell; I suppose parties go in and pay it at Mr. Dodge's office.

Question. Down town?

Answer. Yes; Mr. Dodge's agent receives it, I presume.

Question. Who is the agent for the collection of that money? Do you know?

Answer. Mr. Van Vleck.

Question. Have you been pretty active in regard to getting men to come up to attend this examination?

Answer. Well, I have.

Question. Have you taken any men, or requested any men, or procured any men, to go elsewhere than to this place, to state to any person what they could testify to in regard to the last congressional election?

Answer. I used all the means in my power for to assist in contesting this election in every way I could.

Question. Why won't you answer the question?

Answer. I answer the question in this way: that I done that and everything else I could.

Question. Say yes or no.

Answer. Yes.

Question. To what place did they go, or did you ask them to go?

Answer. I asked them to go to see Mr. Phelps.

Question. Where?

Answer. At his house.

Question. Whereabouts is his house?

Answer. Madison avenue.

Question. Did you ask them to go anywhere else?

Answer. No, sir.

Question. Did you ask them to go in the Fourth avenue?

Answer. Yes; there was a meeting there once or twice.

Question. Whereabouts?

Answer. Mr. Dennis's office.

Question. Who was meeting there?

Answer. The voters met there.

Question. How many times have you been there about this matter?

Answer. Perhaps half a dozen times.

Question. Not more than that?

Answer. No.

Question. Did you see Mr. Phelps there every time?

Answer. Sometimes; I am often in there that I don't go on that business; I did not see Mr. Phelps there all the time.

Question. About how long is it since you first went there on that business?

Answer. That is more than I can tell you.

Question. As near as you can state?

Answer. About a month ago.

Question. Have they ever met there except when this examination was going on at this place?

Answer. No, sir.

Question. How many meetings have you heard of being held there altogether?

Answer. Some four or five meetings; I can't tell; I didn't hear of any more.

Question. Do you think you have been to all that have been held there?

Answer. I think I have.

Question. Who else has been getting persons to go up there, besides yourself?

Answer. Well, Mr. Taylor was a little active in it also.

Question. McWarren S. Taylor?

Answer. Yes.

Question. Has he been very active?

Answer. Well, I expect he was.

Question. Which has been the most active, you or he?

Answer. Well, I declare, that's something I couldn't tell you; I don't know how Mr. Taylor acted, nor I don't think he knows how I acted.

Question. How long have you known Mr. Taylor?

Answer. Well, I know him—that is, to know him by name—since the election; but before that I knew him by sight for two years.

Question. Did you ever know him to do any business?

Answer. I never knew anything about his business.

Question. You didn't know him as a policeman?

Answer. No, sir; never.

Question. Did you ever know him to follow any business whatever?

Answer. I know nothing at all about the gentleman, anything more than what I say about this election.

Question. Where were you on the day of the election?

Answer. In this district most of the time.

Question. Did you see Mr. Taylor there on the day of the election?

Answer. Yes; I met him on that day.

Question. How long was he there?

Answer. He was not there very long; he might be oftener there than when I saw him, because I didn't stay around the poll myself.

Question. How many times did you see him that day?

Answer. I saw him but once that day.

Question. Were you at the polls most of the time, or most of the time away?

Answer. Well, I used to stop there, say about half an hour, and then go away to some other part of the district.

Question. How many persons do you think you have seen in regard to being a witness in this case? How many persons have you talked to, I mean, on the subject of being a witness in this matter?

Answer. Some eighty or ninety, and them all in Thirty-first street, too.

Question. Have you talked with them in regard to the details of what their testimony should be?

Answer. No, sir; nothing more than asked them whether they voted for Mr. Dodge at the election on the eighth of November last; they told me they did, and I told them to come up here; that's about all I told them.

Question. Have you impressed upon any of them the importance of being able to testify? or have you said anything to any of them about testifying as to whether they read their tickets or not before they voted?

Answer. The class of persons that voted pretty much that ticket were men that I am sure did read their tickets.

Question. That is not the question I asked you. Will you please answer the question?

Answer. I don't know that I talked in that way to any of them.

Question. Just merely asked them to come up here?

Answer. Well, there was one or two of the men asked me what were they to be examined on here; they asked me what questions would be put to them, and I told them likely, did they read their tickets before they voted—men, perhaps, that never was before a judge before.

Question. In all the eighty or ninety persons you spoke to, was there one you spoke as to the point of his reading his ticket before he voted, who didn't speak to you about it previously?

Answer. I declare I can't recollect that; indeed I can't recollect it; I might, and I may not; I believe every one of them were men that could read their tickets, and did read them.

Question. How many is the greatest number of persons that you have seen at this place on Fourth avenue at one time about the matter of this contest?

Answer. Perhaps some forty or fifty at a time.

Question. Did Mr. Phelps talk to them there?

Answer. Well, of course, he talked to some of them; others he did not.

Question. Did he make any remarks to them in a body?

Answer. No; not in the way of a speech.

Question. How did he address them?

Answer. Well, in the way of conversation.

Question. Did you hear him say anything about their reading their tickets before they voted?

Answer. No, sir; not there.

Question. Where did you hear him talk to them upon that point?

Answer. I don't know that I ever heard him school them on that point before they came here; he didn't have time to say anything to them.

Question. Are you able to explain to me why it is that those who have testified after the first night are able to, or do, speak more positively about having read their tickets before they voted, than those did who came up here the first night? Are you able to explain to me how that has occurred?

Answer. Upon my word, as far as I could say, them that came up the first night made as correct answers as they did that came up since.

Question. I want to know if you can tell me why the latter ones have so much more generally read their tickets before they voted?

Answer. I can't tell you that.

N. BURCHILL.

Attest: JOHN R. BRADY, *J. C. P.*

John Edler sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 427 Third avenue.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. I did, sir.

Question. Where did you vote?

Answer. Down here on the corner of Thirty-first street and the Second avenue.

Question. For whom did you vote?

Answer. I voted for William E. Dodge.

Mr. ANTHON:

Question. How do you know that you voted for William E. Dodge?

Answer. I opened the tickets and looked at them, sir.

Question. When did you do that?
Answer. At the Congress election.
Question. Whereabouts?
Answer. Corner of Thirty-first street and Second avenue.
Question. What I want to know is, when and where you looked at the tickets?
Answer. I looked at it in the house before I went down there.
Question. How long before you voted?
Answer. After I looked at it I went right down and put it in.
Question. When were you naturalized?
Answer. 1840 I got my citizen's paper out.
Question. Do you remember where you were naturalized?
Answer. Down in city hall.
Question. You don't remember the judge's name?
Answer. No, I don't recollect, sir.
Question. Do you know Mr. Burchell?
Answer. No, sir.
Question. Who owns the house that you live in?
Answer. Mr. Parker.
Question. What's the first name?
Answer. Cornelius—Corneil Parker.

JOHN EDLER.

Attest: JOHN R. BRADY, *J. C. P.*

Edward Heyman sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 547 Second avenue.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you read your ticket too?
Answer. I did, sir.
Question. Where did you get it?
Answer. It was given to me by a gentleman.
Question. Where and when?
Answer. In my own store on the morning of the election.
Question. And you kept that same ticket until you deposited it in the box?
Answer. Yes, sir.
Question. Were you a member of any republican association in the ward?
Answer. No, sir.
Question. At whose request are you here to-night?
Answer. I don't know the gentleman's name.
Question. Have you seen him since you came here?
Answer. He was here; yes, sir. I don't see him here now.

EDWARD HEYMAN.

Attest: JOHN R. BRADY, *J. C. P.*

G. Z. House sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 304 East Thirty-second street.

Question. Has the number of your house been changed?

Answer. No, sir.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. For whom?

Answer. I voted the whole ticket, everything.

Question. The whole of what ticket?

Answer. I voted the whole ticket; I went the whole hog, Abe and all.

Question. For whom did you vote for member of Congress?

Answer. Mr. Dodge.

Question. Did you see any irregularities on the day of election that you can recall now?

Answer. I couldn't call them regular, any of them. I think it was rather irregular.

Question. Did you see any parties vote twice?

Answer. I saw one party that deposited his vote twice.

Question. At the same polling place?

Answer. No, sir; he voted on the corner of Thirty-first street, and I believe in Thirty-fourth street.

Question. Have you any idea which way he voted?

Answer. Well, I could not tell which way he voted.

Mr. ANTHONY:

Question. What is your business?

Answer. I am an attorney.

Question. Did you examine the ticket you voted?

Answer. Yes, sir; I always look over my ticket.

Question. When did you look at it?

Answer. All the tickets?

Question. Yes.

Answer. Well, some days before I voted, a letter was left at my house with a ticket inclosed; and I read the circular, and I examined the tickets the morning I put them in. The whole of the tickets were done up in a little bunch, with a piece of india-rubber round it; and I took them all apart and examined them separate.

Question. You examined the ticket for Congress, and remember the vote for Mr. Dodge being on the ticket you put in the box?

Answer. Yes, sir; I remember very distinct; and I remember seeing the name of Horace Greely for elector. I recollected his name. I thought he was sound on the goose.

Question. The ticket that you voted contained the hog and the goose both?

Answer. Yes, sir.

Question. How long had you resided at 304 East Thirty-second street?

Answer. Well, I have had my residence there, I think, about eighteen months.

Question. You had at that time?

Answer. At that time it was probably about a year, I think, I lived there.

Question. Did you make any bet on that election?

Answer. No, sir; I never bet on any election.

Question. This party that you say you saw depositing his vote twice, at what places did you see the vote deposited?

Answer. The first place I saw it deposited was at the corner of Thirty-first street.

Question. Where next?

Answer. Next in Thirty-fourth street. I believe it was Thirty-fourth street; either Thirty-third or Thirty-fourth; I think it was Thirty-fourth.

Question. The place in Thirty-fourth street is not in the third district?

Answer. I don't know the district.

Question. It was a different poll, I suppose?

Answer. Yes; it was the poll above.

Question. Do you know the person?

Answer. No, sir.

Question. Have you ever seen him since?

Answer. No, sir; nor before.

Question. How long after the first vote was it that you saw the second?

Answer. I should say it was about an hour; it might not have been more than three-quarters of an hour.

Question. Did anything special call your attention to the man when he voted the first time?

Answer. Yes, sir.

Question. What?

Answer. He came up to vote, and gave his residence; if I recollect right, it was in Twenty-ninth street; his name was not on the roll—was not registered; his vote was refused. He was a slim and kind of a shabbily-dressed person; a little tight at the time; they told him he must get some person to identify him; and in a short time he came back with a person to identify him.

Question. Did you challenge him when you saw him voting the second time?

Answer. No, sir; neither time.

Question. Why did not you challenge him?

Answer. Well, I never take any interest in political affairs. I never challenged any parties. One reason I did not challenge him was, because I knew I was of different political views than the majority in this district in which I voted. At the time I voted very few were voting the ticket that I did; and I knew that if I challenged the party, I knew that I would have enemies; probably I would go back with a sore head.

Question. Your impression then was that the majority for Mr. Brooks would be a large one?

Answer. I did not know how that was; I had the impression that they were all going McClellan. I did not know how the Congress was going. I understood there was three men running, and I did not know how that would be. I asked one or two parties, and they said that Mr. Dodge was running ahead.

Question. You thought that it was a strong democratic run?

Answer. I thought it was a strong McClellan run, from the parties I saw round.

Mr. PHELPS:

Question. Do you remember the time of day, whether it was late or early, that you heard Mr. Dodge was running ahead on the congressional ticket?

Answer. Well, it was about the time I voted. I undertook to vote about nine o'clock, I should think it was; then I went down town, and stayed there till about twelve; did not get my vote in; it was along about twelve o'clock. Then I went down to the office and came back, and did not get my vote in until about three o'clock. It was about three, from three to four, near the close of the polls, when I saw this party vote.

Question. Was it at that time you heard Mr. Dodge was running ahead, about three o'clock?

Answer. I heard that he was running ahead; parties who kept the stands on this side of the street claimed that Mr. Dodge was running ahead.

Question. What time was it?
Answer. In the morning, and at 3 o'clock, when I was up.

Mr. ANTHON:

Question. That was from the republican box?
Answer. Yes, from the republican party.
Question. And I suppose the other party claimed that their man was ahead? What was their remark, that Mr. Dodge was running ahead, Mr. Brooks, Mr. Barre, or what?
Answer. Well, I neither knew Mr. Dodge nor Mr. Brooks personally; I supposed it was Mr. Erastus Brooks that was running, and I asked who Mr. Dodge was. This gentleman said that he was a very fine gentleman down town, in the hardware business, a very honorable gentleman, with a liberal spirit, gave him a high compliment, and all those things; and I said, "That's the man for me." They said there was another party running, which I thought was the German candidate, that the Germans would support him, and the other was Mr. Brooks; but they said that Mr. Dodge, as the thing stood, would run ahead, he would get it, clear sweep; that Mr. Brooks would be the only opponent that would amount to anything.

G. Z. HOUSE.

Attest: JNO. R. BRADY, *J. C. P.*

Charles H. Rogers sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside?
Answer. 129 East Twenty-eighth street.
Question. How long have you lived there?
Answer. Since last May, the 1st of May.
Question. Was your name on the register at the time of the November election?
Answer. Yes, sir.
Question. How long had it been on?
Answer. I had it put on the first day, I believe, the registers sat.
Question. How many registers were there at the time that you presented yourself?
Answer. Two.
Question. Did anybody come in while you were there to get registered?
Answer. Quite a good many. I was there pretty much all day.
Question. Did any one come in to register soldiers' votes, or to register the names of soldiers whose votes they pretended to have?
Answer. On the last day of the second sitting they did.
Question. Were such names received?
Answer. Yes, sir.
Question. What district is that?
Answer. Second district.
Question. When you saw this done did you make any objection or protest?
Answer. Yes, sir.
Question. What did you say?
Answer. The registers said that they would receive the votes. I told them they had no right to do so; they said they had; and I told them they had not, and protested against their being received.
Question. Do you know how many they received?
Answer. I think at that time they received nine.

Question. Do you know the man who offered them?

Answer. No, sir; I have seen him quite often, but I don't know his name.

Question. Was the man who got them registered a resident of the district?

Answer. That I don't know; only I understood he lived in Lexington avenue.

Question. Were the names entered when he first presented himself?

Answer. No, sir; he came in and wanted to know if they received soldiers' votes, and they said they did. I said that they had no right to. He said that he would have them registered, and that he would vote them, hit or miss, on election day. I told him perhaps he would. After arguing some time, *pro and con*, he said he would go and get them; went off and was gone perhaps half an hour, and came back with them, and I protested again, but they were put down.

Question. Were you staying all this while at the place of registry?

Answer. Yes, sir.

Question. Did you stay there until the evening?

Answer. Yes, sir.

Question. Did you stay there after the board adjourned?

Answer. Yes, sir.

Question. Were any names entered by anybody after the adjournment of the board, do you know?

Answer. Yes, sir.

Question. State by whom?

Answer. A man that acted once or twice as clerk of the board. They said that he was clerk; I only saw him there twice. He was there the first night perhaps half an hour before they adjourned; and the last night he was there, came in just as they were adjourning, and was there long enough to write these names, perhaps half an hour altogether.

Question. You think he was not the regular clerk of the board?

Answer. I think very likely he was; although they had no clerk most of the time.

Question. What names did he enter during the adjournment?

Answer. He took a list out of his vest pocket, I think it was. He said he had a list of names that he had taken that had to go down yet; and Mr. Macdonald, I think it was, one of the registers, he took another list off the table, and said there were more. I should think on that list there were about ten; the other I did not see; they would not allow me to see it. When he had got them all down, the other inspector had left the room, and he was there alone. When I left the room he had about three-quarters of them done—the first list I think he had done when I left the room; then he came out and said there were forty names that he had put down.

Question. Are you sure this was after the adjournment of the board of registry?

Answer. Yes, sir.

Question. Are you sure it was after 9 o'clock?

Answer. Yes, sir.

Question. Did you say anything in opposition to this act on the part of the poll clerk?

Answer. Yes, sir; I protested against their being put down. Mr. Macdonald said they had a right to put them down; and they had a right to sit another day if they thought proper; he didn't know that they had not.

Question. Did either of the registers state where they got these names that were on these two slips of paper?

Answer. Mr. Macdonald said, I think, that he had got them in the course of the day; he didn't say where, I believe; though I don't know but he did.

Question. Did you see these names?

Answer. No, sir; nothing more than just sitting at one end of the table and he at the other.

Question. Could you have seen them if you wished?

Answer. No, sir, he would not allow me; he said I had no right to see them.

Question. Why did you want to see them?

Answer. I wanted to attend to them on election day.

Question. What do you mean by attending to them?

Answer. Attending at election day and challenging them.

Question. Did you tell the registers that that was the object you had in view?

Answer. Yes, sir.

Question. Were you at the polling place on election day?

Answer. Yes, sir.

Question. What time of day?

Answer. I was there most of the day.

Question. Did you see Mr. Gideon S. Walker there?

Answer. Yes, sir.

Question. Did you see if Mr. Walker submitted to the irregularities that were there going on without protest?

Answer. No, sir; he protested.

Question. Did you hear him protest?

Answer. Yes, sir.

Question. Do you remember against what specific acts he protested?

Answer. He first protested against going on with the election with the books that they had; he said that they were not certified as being corrected copies of the last sitting. I think they were certified as being taken on the first sitting, and they overruled him and went on.

Question. Do you know anything about any difficulties previous to this that Mr. Walker had in getting his copy of the register?

Answer. Yes, sir; I went with him once to try to get it of Mr. Macdonald, from the fact that I wanted it myself. There was no copy left in the room of the board of registry, and I wanted to look over some names that I had in my pocket, believing that they were not voters; and I went to him to see if he had got his, and he hadn't.

Question. What reply did Mr. Macdonald make to his application?

Answer. He said that himself and the other register had settled the matter themselves; they had not got through, and he should have his next morning; I am pretty positive he said by the next morning.

Question. Did you see a man by the name of Birdsall on the day of election?

Answer. A man they called Birdsall; I am not acquainted with him.

Question. Did Mr. Birdsall discharge any of the duties of inspector?

Answer. What I considered their duties he did.

Question. What did he do?

Answer. He took the affidavit, when a person came up and his name was not registered. When their names were not registered he would take the affidavit of the householder that came to vouch for the voter, and then he delivered the oath to quite a number of the voters themselves. I protested against it, and so did Mr. Walker; but still it was done. After a couple of hours they desisted, and the inspectors went on.

Question. I neglected to ask you if, at the time you went with Mr. Walker to demand a copy of the registry, you told Mr. Macdonald that he had neglected to leave one at the office of the registry?

Answer. Yes, sir.

Question. What reply did he make, if any, to that?

Answer. I don't recollect exactly his reply. I said to him that he ought to have left a copy there, but what his reply was I don't recollect exactly. It strikes me now, though, after thinking a moment, that he said that they were not obliged to leave them there after the second sitting.

Question. Did this man, who was called Birdsall, during the election, have anything to do with either of the books of registry?

Answer. Yes, sir, he checked one book.

Question. Do you know the politics of this Mr. Birdsall?

Answer. No, sir; only what I should judge, that's all.

Question. Was he a republican?

Answer. I couldn't say; but I should think not.

Question. Do you know whether these registers, as laid out, were correct or not?

Answer. I don't think they were.

Question. Why do you not think they were?

Answer. Well, from the way the names were put down.

Question. Do you know of any instance where the names were put down of parties who were not residents of the district?

Answer. I took some names from the registers; had them in my register's book in my pocket; and I was given some other names by some parties, and I went and inquired at different places. There was one place about six or seven doors towards Third avenue from where I live; I went there for one party, and they said no such man lived there, (it was a soldier;) they were gone from that place entirely.

Question. After how many names registered did you search at places where they were registered as residing?

Answer. I can't say exactly now.

Question. As many as five?

Answer. I should think about eight—eight or nine.

Question. Of these eight or nine did you find any that were resident or had been resident there?

Answer. No, sir; there were none.

Question. Did you make thorough search?

Answer. Well, I went to one place and I found it was a blacksmith's shop; and another place I went, and a man said he had lived there two years and no such man had lived there. One number, I think, was a vacant lot.

(The further examination of this witness was postponed for the present.)

George Hatt sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside?

Answer. 230 East Thirty-second street, the new number; the old number was 136.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. I did, sir.

Question. Where?

Answer. At the corner, I believe it was, of Thirtieth street; Thirtieth or Thirty-first, I forget now, and Second avenue.

Question. For whom?

Answer. For William E. Dodge.

Question. Have you a son?

Answer. Yes, sir.

Question. Do you know how he voted?

Answer. He voted as I did, sir.

Question. How do you know he did?

Answer. Well, we assorted the ballots before we left the house. We generally do, sir, get ours ready, so as not to be bothered when we get to the polls.

Question. What is your son's name?
Answer. John A.
Question. Does he reside with you?
Answer. He does, sir.

Mr. ANTHON:

Question. Did you examine the ticket which you voted at that election?
Answer. I did, sir.
Question. Saw the name of Mr. Dodge?
Answer. I did, sir.
Question. How long before you voted did you do that?
Answer. I forget how long I staid outside now, I am sure.
Question. It was at the polling place that you looked at it?
Answer. No, sir; it was before I left home. I took the ticket wrapped up, and didn't open it, because I had examined it when I was home.
Question. Did you keep the ticket in your possession between the time you examined it and the time you gave it to the inspector of election?
Answer. I did, sir.
Question. When did you give your son his ticket for the congressional election?
Answer. We had them left at the house, sir. We generally do get them at the house; but when we don't get them at the house, we go to the stands, and then we take our tickets.
Question. I want your recollection of what you did on this occasion. Did you see your son take a congressional ticket?
Answer. I did, sir.
Question. Did you see what that ticket was?
Answer. I didn't read his, sir; I saw it, but I didn't read it.

GEO. HATT.

Attest: JNO. R. BRADY, *J. C. P.*

Adjourned to Saturday, March 11, 1865, at 10½ o'clock a. m.

SATURDAY, *March* 11, 1865.

E. H. Jenny sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside?
Answer. 95 East Fifteenth street.
Question. Do you own the house you live in?
Answer. I do.
Question. Do you own any other real estate in the city?
Answer. I do.
Question. You lived there on the 8th of November last?
Answer. I have lived there for the last thirteen or fourteen years.
Question. Did you hold any office at the last election connected with the reception of the votes at the presidential election?
Answer. I was inspector.
Question. In what district?
Answer. In the thirteenth district of the Eighteenth ward.
Question. Did you attend there all day as such inspector of election?
Answer. I was there from before the rising of the sun until dark, without intermission.
Question. What were the names of your associate inspectors?

Answer. John Connolly and Mr. Hargin; the initials I don't know.

Question. Do you know what were the politics of Mr. Connolly?

Answer. Democratic, sir.

Question. Were the proceedings at that poll, in the thirteenth district, in your opinion, regular?

(Objected to.)

Answer. They were not.

Question. Can you recall now any irregularity—any violation of law?

Answer. Well, the first violation was non-conformity to the election law in which persons who are not registered being required to make out an affidavit. I assumed, as chairman, that the affidavit should be made out by a proper person who had the authority to administer the oath, stating the reasons why they were not on the registry; and when that was done, as I understood the election law, they are then subjected to an examination on the part of the board of inspection to ascertain that the affidavit has been tendered to the inspectors. The first collision among the inspectors was grown out of Connolly declaring that the affidavit was sufficient, and there should be no further oath administered. nor no further examination.

Question. Did you submit to this interpretation of the law made by Mr. Connolly?

Answer. I did not.

Question. Did you yourself question before whom those affidavits were made?

Answer. Well, the first affidavits were made out of the room—that is, blank affidavits were filled up in some way. Some of them I peremptorily refused, because they were not signed by the name of any person assuming to have the authority to administer the oath.

Question. Was there any undue haste in the voting?

Answer. Well, after the first half hour's balloting after the opening of the polls the haste was carried to such a pitch as to make it extremely difficult to attend to the registry, and to secure a proper ballot.

Question. Who occasioned this improper haste?

Answer. Inspector Connolly.

Question. By what means?

Answer. By using threats—impatient language; afterwards, language of extreme violence, accompanied with threats.

Question. To whom were these words and these threats addressed?

Answer. To me.

Question. Can you recall any of those words, or any of those threats?

Answer. Well, they were excessively profane, and exceedingly vulgar, and occasionally vilely obscene.

Question. Can you recall any threat that he made by word or action?

Answer. Well, there were threats of violence on several occasions during the day—high words, threatening violence, personal violence, and on two or three occasions I think a threat was made that I should be ejected from my position at the boxes.

Question. Why did he thus threaten you?

Answer. Because I required the examination of the registry, and a conformity to the election law.

Question. What answer did you make to these threats?

Answer. I think, on two or three occasions, when the threats of personal violence were offered with so much ill-temper and harshness, my reply was that he might do as he pleased; it was a good place to die in the defence of the sacredness of the ballot-box.

Question. Were there any parties other than voters in the room?

Answer. There were.

Question. Did they take any part by words or threats, or express sympathy with either side?

Answer. They did.

Question. Do you remember anything they said, or can you tell me with whom their sympathy was?

Answer. Their sympathy was entirely with Connolly.

Question. How do you know that?

Answer. From their uniting with Connolly; joining in, applauding his violent language, and repeating it, and also threatening violence themselves on their own part.

Question. Could you recall the name of any one who threatened you with violence outside?

Answer. There were two I learned on making the inquiry; I inquired of one myself. He exhibited the badge of a deputy sheriff, and claimed to have authority there, which I denied; ordered him to leave the room, threatened to make my complaint before the grand jury.

(Answer objected to.)

Question. Did he leave the room?

Answer. I think that I threatened his immediate arrest; and during the three or four hours in which he interrupted the balloting—on numerous occasions his threatening personal violence against me, and on two or three occasions my appealing to the police for the preservation of order, and the great disturbance that he made; I think after a period of three or four hours he finally left the room.

Question. Did the policemen refuse to take him out?

Answer. They said they would wait until he made a manifestation of personal violence.

Question. You said there were two that you could remember as using threatening words; you have told us of this man, who exhibited some badge; can you call any words or circumstances of the action of the other?

Answer. Well, I believe that on several occasions he pushed back those who represented themselves as having soldiers' votes.

Question. Were many soldiers' votes offered at your polling place?

Answer. There were a good many.

Question. Were they received in all cases?

Answer. They were not.

Question. Why were they not?

Answer. Connolly objected to their being received.

Question. Did you not insist upon their reception?

Answer. When the pressure of the mob was too great ——

(Question repeated.)

Answer. I did.

Question. How happened it, then, that they were not received?

Answer. Well, it is usual for the chairman to pay certain deference to his two associate inspectors; and there was Mr. Hargin on the one side, and Mr. Connolly on the other. On these occasions I would usually defer to Mr. Hargin and Mr. Connolly for the purpose of facilitating and hastening the voting of those persons who had been waiting, and that there should not be the seeming purpose on my part of obstructing a fair, honest, and proper vote. In many cases I yielded, where it was against my convictions of right, in deference to my associate inspectors.

Question. In answer to a late question you started to say, "When the pressure of the mob was too great;" will you please tell me what you purposed to say?

Answer. That I yielded to allowing an elector to be thrust one side with his ballot.

Question. Did the mob by their actions indicate that such would be their will—to exclude soldiers' votes?

(Objected to as making a false statement of the witness's previous testimony.)

Answer. There were some that acquiesced in the exclusion of the soldiers' votes, and then there were others that signified their displeasure.

Question. Which were in the majority?

Answer. Those for excluding the soldiers' votes.

Question. Was it from the pressure of these that you yielded, and allowed them to be excluded?

(Objected to.)

Answer. Yes.

Question. Did you see anywhere about the polls a man by the name of Irving?

Answer. I did; a man whom I believe to have been called Jim Irving.

Question. Did he say anything to any of the inspectors?

Answer. He did.

Question. What did he say?

Answer. There were no words; friendly salutations passed between him and Mr. Hargin, I think, two or three times during the day, but my first attention was drawn to it about 8 o'clock in the morning, I should think.

Question. Did you hear anything that he said?

Answer. Well, Irving called him out; he wished to have conversation with him, and he asked me if he could be absent for a moment from the ballots, and I replied in the affirmative.

Question. Did you hear Irving say anything else—anything about the voting?

Answer. Afterwards when the clerks were registering the names, and the inspectors examining the registry, he was impatient to hasten the ballot, and his interference was annoying.

Question. What time was this?

Answer. I should think this was somewhere between the hours of 9 and 10; it may have been a little earlier.

Question. How did he show his impatience?

Answer. By "Down with the voting!" and such expressions as that.

Question. Did he cry out "Down with the votes?"

Answer. Yes, sir.

Question. To whom did he apparently address those words?

Answer. It was so loud as to be heard by the clerks, and the clerks are usually guided by the announcement "Down," or "Votes the whole," or "Votes such and such tickets;" that circumstance reduced the number of ballots. I think his conversation on these occasions was loud enough to be heard throughout the entire room.

Question. You said that Mr. Hargin left the room; who acted in his place during his absence?

Answer. No one on the first occasion.

Question. Did he leave the room more than once?

Answer. Twice.

Question. Did any one act in his place on the second occasion?

Answer. Yes, sir.

Question. Whom?

Answer. One of the clerks.

Question. Had he been sworn?

Answer. He had not; he had been sworn as a clerk.

Question. Why did you allow this?

Answer. I protested against it.

Question. Did Mr. Connolly make any remark in answer to your protest on this point?

Answer. Yes.

Question. Do you remember what it was?

Answer. Well, there was so much cursing and swearing and damning that it

would be hard and improper to rehearse much of his language, from morning until night. As I said before, it was exceedingly vulgar, ungentlemanly, boisterous, and so unlike the conduct of inspectors with whom I have always been associated, that I will pass over the quotation of his language.

Question. How happened it that Mr. Hargin's place was not supplied during his first absence?

Answer. I think he was absent but a very few moments.

Question. Was the name of any one else proposed by the said inspector to act as inspector during his absence?

Answer. No proposition made to me; but a man was brought in in his shirt-sleeves and took his place behind the boxes, of which Mr. Hargin had charge, and attempted to assume the duties of inspector. I protested against it; refusing to receive or order any ballots while he was in that position.

Question. What was done then?

Answer. About ten minutes were spent during that collision, and between two and three of the outsiders joining with Mr. Connolly in insisting that it was right and proper, and in accordance with the election law, that any person could be placed in to do the work of the inspector without an appointment; and I think the collision became so high during that occasion I threatened to send to General Butler to close the polls.

Question. Did this have any effect upon Mr. Connolly and his partisans outside?

Answer. It did; he was withdrawn.

Question. Do you know anything about this man in shirt-sleeves?

Answer. I think he was a bar-tender on the premises.

Question. Do you know whether there was any liquor sold during the day?

Answer. There was, during the entire day, in the front room.

Question. You stated that this man Connolly urged on the voting with great haste. Did he neglect to check his register?

Answer. He did.

Question. How did that happen?

Answer. Well, before this, before he had abandoned his registry in hastening on the vote, while he was seemingly attending to the duties of the examination of the registry, he would find the names there soon, and say "All right," that I suspected that he had not found it; consequently, although after I first suspected, I kept on receiving them, and took the declarations of the inspectors that they were right, until finally I was convinced that he either was not checking the names, or was checking them in an improper way. On one occasion I stated to him that I didn't believe he had had time to find it.

Question. What reply did he make?

Answer. He was swearing there. He handed the registry over to parties standing upon the outside of the boxes for inspection; and then, I think, perhaps during fifty or one hundred ballots, I don't think he inspected the registry at all, or very little. I also stated the irregularity of this; that it was improper to do so.

Question. What reply to this?

Answer. He didn't care.

Question. You said that this Connolly was a democrat?

Answer. It was so understood by his friends, and from the associates that he seemed to have, and those whom he seemed to recognize, I have no doubt of it.

Question. Was this register put outside in the hands of republicans or democrats, in your opinion?

(Objected to.)

Answer. I will answer that that I don't know. I didn't inquire any man's

politics. What I strove to do was to keep order, and conform exactly according to the rules and regulations of the occasion.

Question. Do you believe that Mr. Connolly changed any ballots during the course of the day?

(Objected to.)

Answer. On one occasion (I would like the privilege of rehearsing what occurred)—on one occasion a young man, a German from his looks, offered his ballot. His name was searched for on the registry, and was not found. I then informed him that he must make out an affidavit, giving the reasons why his name was omitted from the registry, and then bring some elector in that election district for his identification. I stated that the law required a householder; that I had waived that, and would make it simply an elector; and after perhaps an interval of an hour he returned with his affidavit, which I received; and I then swore him for examination. When he handed out his vote, the outside ballot was the presidential ballot, and indorsed with the same letters and form as the other republican ballots—presidential ballots. I kept it in my hand but a single moment, when Connolly demands it, and snatches it at the same moment of time. He retired to the extreme right of the room, and in a very short time returned and placed in my hands the same little package with the democratic ballot for President. Before distributing the ballot, I turned to the republican clerk and asked him to take the name and residence of the last name upon his poll-list for a very important purpose. I then addressed Mr. Hargin, and stated that a ballot had been changed, and that he must mark and remember the whole matter, or words to that effect. I then distributed the ballots, and ordered the vote.

Question. Did you say anything to Mr. Connolly at the time?

Answer. I did not.

Question. Why not?

Answer. It was my purpose at that time to make that the basis of a complaint before the grand jury, so that the matter could be reached in the legal way, whereby there could be a full investigation.

Question. Did you, at any time during the day, inform Mr. Connolly of the serious consequences attending such irregularities?

Answer. On several occasions I stated that his mode of doing business would so vitiate the election that the district ought to be thrown out.

Question. Are you sure you stated that to him?

Answer. During the day I think I stated it two or three times.

Question. When you stated this fact to Mr. Connolly do you remember the reply he made on either occasion of your statement that the district would be thrown out?

Answer. I hate to give the replies that he would make on those occasions. On some occasions the reply would be, that I was a damned old scamp; and all the variations of language that could possibly be given I would get in return for the courtesies that I endeavored to extend to every person—electors and associate inspectors. I attempted to practice all the civilities and courtesies and good manners that were consistent with the position for the preservation of order, and for properly conducting the election.

Question. You said liquor was sold there all day. Who sold it? Whose place was it?

Answer. I don't know even the name of the proprietor of the house; it has escaped from me if I knew at that moment.

Question. Was it sold at the bar by the proprietor? Did you know the proprietor by sight?

Answer. Yes, sir.

Question. Was he himself behind the bar at any time?

Answer. Well, I didn't leave, didn't step from behind the boxes, from the

organizing of the board, or before sunrise, until dark; but he received orders for not only refreshments, but for liquor to be brought into the room.

Question. Who gave the proprietor orders to bring liquor. Did any of the inspectors?

Answer. Well, I think Connolly, on two or three different occasions, ordered it to be brought in. I think also one of the outsiders, who stood opposite Mr. Hargin, (that would be upon my extreme left,) brought in liquor. I was also offered the same, but declined.

Question. Was a written ballot offered at any time during the day?

Answer. I remember one distinctly.

Question. What was written upon it?

Answer. I think the words were, "I give my vote for McClellan for President of the United States," and the name signed to it.

Question. What was done with it?

Answer. It was deposited in the box. The two inspectors, I think, thought it proper to deposit it, and have it left to the canvassers whether it should be counted or not.

Question. I think you told me, though I am not sure, if you had resided in that district long?

Answer. I have been in the ward thirteen or fourteen years.

Question. Have you ever acted as officer of any description at the polls before?

Answer. Many times.

Question. You conceive that you are familiar with the duties of inspector from such experience?

Answer. I think that I am.

Question. How many houses do you own?

Answer. Five.

Question. Is it generally the case that men of your competency take these positions?

(Objected to.)

Question. My question is, whether, for these offices, it is generally the case that men of your position are willing to accept them?

Answer. When I was residing over in East Broadway they usually selected the very best men—property-holders and men of position—and it was considered as an honorary appointment.

Question. My question had reference to the last two or three years.

Answer. I would like a little liberty in answering that. As far as the selections of the republicans go, they endeavor to select very good men; as far as the democrats go, they select very bad.

Question. Did you take this position for the perquisites?

Answer. Not at all, sir.

Question. Why did you take it?

Answer. I had heard so much about frauds being practiced at the ballot-box, I thought I had the sagacity as well as the firmness to resist everything of the kind, and that if I could not cause a poll to be properly conducted nobody could.

Question. Do you believe you were so successful as you thought you would be?

Answer. I was not. I only endeavored to do my duty.

Question. How many illegal votes do you believe did get in, notwithstanding your efforts? About how many?

(Objected to.)

Answer. Well, this answer necessarily implies a belief, and not a matter of knowledge.

Question. Yes, only a matter of belief.

Answer. I can tell you how I felt about it at the time; I think about fifty—I believe about fifty.

Question. Are you generally very careful in your opinions?

Answer. Well, I try to be fair and candid, and careful in forming an estimate where I am unacquainted with the parties, and would take no interest whatever in relation to the congressional election. Between the parties I didn't have the slightest feeling either way. Both parties were unknown to me, personally.

Question. Do you know Sheriff Lynch by sight?

Answer. I do not.

Question. Do you know whether he was in the poll-room?

Answer. I do not.

Question. Did this Mr. Owens pretend to be a deputy sheriff? Who was this man Owens?

Answer. This was the man who represented himself as being a deputy sheriff.

Question. You have given the impression, by your testimony, that you acted there under intimidation from Connolly and supporters of his outside; was that your intention?

Answer. No. With regard to intimidation, I did not feel it; I acted from prudential motives.

Question. Did Mr. Connolly threaten to use any weapon upon you?

Answer. He did.

Question. Did you consent to those irregularities because you thought it would be imprudent to resist?

Answer. Yes.

Mr. ANTHON:

Question. Where did you say you resided?

Answer. At 95 East Fifteenth, sir.

Question. What district of the Eighteenth ward was that in?

Answer. The fourth.

Question. Between what avenues is the number?

Answer. Between Second and Third.

Question. What was the number of the district in which you acted as inspector?

Answer. Thirteenth.

Question. How did you happen to act as inspector in that district, where you didn't reside, and not in your own?

Answer. Well, the year before, two of the board of supervisors wanted to know of me if I had nerve enough to go into a pretty hard place and act as inspector, in the Eighteenth ward; and I said yes, I would, anywhere; and in 1863 I acted as inspector in the fourteenth district, which was on the extreme east side of the ward. When the matter came up this year, I was asked whether I would serve again, and if it made any difference where I went. I replied that I would act again, and it made no difference where they sent me.

Question. Who asked you that?

Answer. Well, James M. Thompson was the one who spoke to me about it, and several others.

Question. Who is James M. Thompson?

Answer. He was candidate, I think, for county clerk, and is, or was at that time, the president of the republican association in the Eighteenth ward.

Question. What is Mr. James M. Thompson now?

Answer. He is now one of the port wardens.

Question. Port warden or harbor-master?

Answer. Harbor-master.

Question. Appointed by whom?

Answer. Fenton, I think. Within the last three or four days he has been deputy collector.

Question. Who else spoke to you about acting as inspector besides him?

Answer. Several persons, occasionally. I was a member of the executive committee of the Eighteenth ward, and the matter was talked over.

Question. A member of the republican executive committee?

Answer. Yes, sir.

Question. Do you know by whom you were appointed?

Answer. By the board of supervisors.

Question. Do you know whether you were appointed by any particular supervisor or not; or whether it was due to any particular one?

Answer. No, sir. I am personally known to a large number.

Question. And you have no knowledge whatever of what portion of the board of supervisors it was that nominated you?

Answer. No, sir.

Question. Do you know how the nominations of that kind are made by the supervisors?

Answer. No, sir; only I suppose they were made out of the names of different persons subjected to a committee, and they take and appoint or alternate in the districts, either two republicans and one democrat, and then two democrats and one republican, until all the districts were exhausted; and in the appointment of clerks, one is a republican and the other a democrat. Appointments of clerks are made by the police commissioners.

Question. So that the republicans had the appointment of a majority of the inspectors in just half of the wards in the city?

Answer. No; the nomination, not the appointment.

Question. The nomination is equivalent to the appointment, is it not?

Answer. So far as I know, it is understood that it is.

Question. That is the intention, isn't it?

Answer. Well, I didn't suppose that politics had anything to do with my appointment on the previous occasion. One of the leading men in the board of supervisors spoke to me; there were two of them, and those that were personally friends. They were glad to have a man put there that would honestly discharge his duty, as I endeavored to discharge mine on the occasions in which I acted.

Question. Apart from your own appointment, the understanding in the appointment of inspectors is that they shall be distributed equally between the political parties?

Answer. Yes, sir. I understood it was so in the board of supervisors; that where there is a majority, where there are two republican inspectors and one democrat in the canvassers, it would be reversed—two democrats and one republican—in the board of canvassers; and the same alternation taking place in the appointment of registers.

Question. Do you know how the board of supervisors is composed politically?

Answer. No, sir.

Question. Don't you know that the board of supervisors is composed of six republicans and six democrats?

Answer. No, sir.

Question. Do you think it is not?

Answer. I don't know.

Question. You are familiar with politics in the city?

Answer. I am.

Question. What do you consider the politics of the board of supervisors under the existing law?

Answer. I have looked upon them as being all democrats, with one or two exceptions.

Question. Be kind enough to give me their names?

Answer. The names of the whole? I don't know them.

Question. Give me the names of those that you know.

Answer. I know Supervisor Ely; I know Supervisor Purdy; I know Supervisor Blunt.

Question. Is Supervisor Blunt a democrat?

Answer. Well, he claims to be a republican, and is, as far as I know; but I know he usually supports all the democratic measures.

Question. Do you consider him a democrat, sir?

Answer. No.

Question. Then there is one member of the board of supervisors whom you do not consider a democrat? You claim that you consider all the supervisors democrats? It seems there is one exception?

Answer. I don't care what a man professes to be; I look to his acts. If I indorse his acts as purely republican I put it down to his credit; but when all the power and the influence of a member seems to tally with those that are opposed to him in politics I then set it down against him. I have said this: that if I were standing alone in the board of supervisors when many of these measures come up in the board I would threaten to disclose the measures, so as to lead to the disgrace of the men, until, finally, they could not carry out many of the bad measures which had been carried out in that board. I hold a man in his politics to the measures he acquiesces in, as well as to the measures he advocates. That is the reason I put them down as democratic.

Question. Let me alter my question. Do you consider Orison Blunt a democrat? I am not speaking morally, but politically. Do you consider him politically a democrat?

Answer. Well, it kind o' vexes me to think that I have got to make an answer that ought to be half and half. Many of the measures have been so emphatically democratic that he has supported that I hesitate to call him a republican.

Question. Is he a democrat or a republican?

Answer. Well, half and half.

Question. Was he not the republican candidate for mayor once upon a time?

Answer. He was.

Question. Did you vote for him?

Answer. No.

Question. Did the Tribune support him?

Answer. No, I think not. I think they opposed the nomination; and in a conversation with Mr. Blunt he charged it upon the Tribune that he lost the election on account of the Tribune not supporting him. On the occasion when he was a candidate I was up as an inspector; didn't leave the ballot-box to go into my own district to vote. The law has been altered, allowing inspectors to vote at the polls which they take charge of. I think Mr. Waterbury may have drawn that very section of the law.

Question. When was Mr. Blunt elected supervisor?

Answer. I don't remember.

Question. Do you remember who elected him?

Answer. No, sir.

Question. You don't remember on what ticket he was nominated?

Answer. No, sir.

Question. Is not Mr. William R. Stewart a supervisor?

Answer. I am not acquainted with him. I know there is such a man.

Question. Do you consider him a democrat?

Answer. I don't know enough about him to place him anywhere politically. I think he is enumerated among the republicans.

Question. Was not he a chairman of the republican county organization last year?

Answer. I don't know.

Question. Do you consider him a democrat?

Answer. Well, in many of the measures that he supported, so far as the support of those measure go, I would call him a democrat. I don't know of a republican measure that he has sustained in that earnest way that I should if I had been supervisor. I have not known one republican that has stood up in his place and taken the stand that he should.

Question. Why do you conclude that these men are not republicans because they do not support such measures as you think right?

Answer. I judge a man by the measures he advocates. I don't care what constituents he has. If I read his speeches in Congress, I judge from that what the man is. He is responsible, it may be, to his constituents; but I judge a man by what he says.

Question. If he was chairman of the republican organization last year would you still call him a democrat in the board of supervisors?

Answer. Well, in a loose way of speaking, I should say that Stewart and Blunt were reckoned among the democratic members. As to swearing to their politics, I cannot.

Question. Is Sheridan Shook a member of the board of supervisors?

Answer. I heard he was.

Question. Is he a democrat?

Answer. I don't know; I will tell you what my impression is.

Question. Do you know what office he holds under the administration of President Lincoln?

Answer. Yes, sir; he is connected with the excise law?

Question. Collector of internal revenues, is he not?

Answer. I don't know that he is collector. I think Mr. Gilbert is collector, and Mr. Shook is the assessor. I won't be certain, but I have the impression that that is the case. With regard to his receiving the appointment from the President, that does not argue anything one way or the other, because as many democrats were appointed to places of high position and of large income as republicans. I think I can name quite as many democrats as republicans.

Question. Is Henry Smith a member of the board of supervisors?

Answer. I don't know him at all.

Question. Do you know whether there is such a man?

Answer. I don't know.

Question. Do you know Mr. James Davis, or do you know that he is one of the board of supervisors?

Answer. I don't know.

Question. Do you know whether Mr. Willmann is a member—Andreas Willmann?

Answer. I think he was elected last fall.

Question. On what ticket?

Answer. On the republican ticket, because his nomination came up before the executive committee of the Eighteenth ward association, and his merits were discussed, and I think that one occasion Mr. Willmann was present.

Question. Is it because he was elected on the republican ticket last fall that you call him a democrat now?

Answer. I didn't call him anything but a supervisor.

Question. I thought you said that the board of supervisors was composed of democrats.

Answer. I call them democrats, because they carry through most, if not all, the democratic measures.

Question. Do you call President Lincoln a democrat?

Answer. I doubt if there is such a democrat on the face of the earth—possessing all the elements of true democracy. From the time of Washington to the present time there is not a man in the entire country of purer democracy as Mr. Lincoln, as I understand democracy as it ought to be. I do not take that

spurious democracy that gets up riots and heads them, and burns and hangs our citizens. That is one of the phases of democracy.

Question. Is it in that same sense that you say the board of supervisors is democratic?

Answer. It is not. I use the word democracy in connexion with the board of supervisors as they develop their character by trickery, dishonesty, appealing to the baser passions of men, fostering ignorance, and giving it places of responsibility and trust—some seeking rather the lower classes of men to occupy places of trust, because it is that class that can influence a very large share of the electoral vote.

Question. Do you consider the Vice-President, Andrew Johnson, a democrat in either of these senses you have mentioned?

Answer. Well, as the character of Andrew Johnson has been developed from his boyhood up to the time of his receiving the nomination of Vice-President of the United States, there has been, as far as I know, everything to admire in the man; but I carry my temperance principles to such an extent that as soon as I heard of his misfortune on the inaugural occasion, out of sympathy for his wife, who taught him to read and to write, and imparted to him all of the first elements of an education whereby he has risen from a journeyman tailor to be a Vice-President of the United States, I clung to him still; but if he persists in habits of intoxication, or drinking at all, I insist that he shall at once be impeached by the House of Representatives and tried, and somebody else appointed to occupy the Vice-President's chair. But to go a little beyond that, the recommendation that I make is, that it should be made a felony for any man either to drink or sell liquor. My doctrine is, that drinking is suicide and rum-selling is murder.

Question. Do you know to what particular supervisor, if to any, you owed your appointment as inspector, at the last election?

Answer. I have not the slightest notion. I have not been in their room for a year, or held any intercourse with any of them, unless it is the usual salutations with Elijah Purdy, that I enumerate among my friends.

Question. What were the politics of this Mr. Hargin whom you speak of as one of your associates?

Answer. Well, I understood and believed—though when I saw the list I saw his name was printed in the same characters as those that were reckoned among the republicans, (and as I endeavored to conduct the election the way that none would know whether I was a republican or democrat,) I thought most of the time that he was more of a democrat than he was a republican during the entire election.

Question. He was appointed as a republican, was he not?

Answer. Yes, sir.

Question. And you say the republicans always appoint the best men to office?

Answer. I said as a general thing they aimed to appoint their best men.

Question. The admission of these persons who were not registered—just state what proof was required from them, if you please.

Answer. Well, sir, I required that they should take the oath that they would truly answer all such questions as were put them touching their places of residence, and their rights as an elector in that election district. Then I proposed to them, in order to hasten the vote as rapidly as possible, instead of going through with all the numerous questions put down in the book by the secretary of state, I simply asked, "Where do you live?" "How long have you resided there?" And usually would put three questions instead of thirty that the law would allow me to ask. Then I would ask him, "Who is your voucher?"—that was the name usually given to the party that he would bring to the polls.

Question. What further proof did you require on that day?

Answer. I required that a man should present himself to me, and I would administer the oath—"Do you solemnly swear that you will answer all such questions as are asked you pertaining to the rights of this elector—calling him by name—as an elector in this election district?" I abbreviated the questions a great deal, to occupy as little time as possible, and to show that I intended to be exceedingly fair. The next question would be, "Do you swear that he is an elector in this election district at this election?" And if he would say "Yes," I would then receive his ballots, distribute them, and order the vote.

Question. I understand that you required, under your view of the law, that the voter and his witness should both be sworn by the inspectors and examined by them?

Answer. Yes, sir.

Question. And the irregularity charged consisted in the violation of that requirement on your part?

Answer. Yes, sir.

Question. Do I understand you to say that you required that the affidavit or statement of the voter as to the fact of his not being registered, and the reason why his name was not registered, should be made by the inspectors, and the oath administered by them, or one of them.

Answer. My ruling was that any person who had the right to administer the oath—to make the affidavit in a proper way—could take the affidavit for these electors. The law was specific on that point, that if a name was not found on the register, he should make out an affidavit, giving the reasons why he omitted to have his name registered. The next point was, that he himself should be sworn by the inspectors, and be examined.

Question. Examined as to what?

Answer. With regard to his right to vote. The first affidavit required no such thing; it only required him simply to state, "because I was absent" from the city; "because I was too ill to appear before the board of registry; "because I didn't know that the board was in session," or "because I didn't know where to find the place." All of these causes would be enumerated, one or the other as the case might be, in the affidavit, but didn't touch the right of the elector as a voter. Then the next step was that he should be sworn and examined.

Question Did you require that the inspectors, or one of them, should examine the voter as to his non-registry, and the reasons of his non-registry?

Answer. Never, if I understand your question. When the affidavits were made I asked no question, neither did the other inspectors ask any question, in relation to the reasons that were assigned in the affidavit why he was not registered; it was not necessary.

Question. Please state again what the irregularity in that respect was, of which you complained, with regard to these non-registered votes.

Answer. Well, in the first place, Connolly's set out that those men should not be sworn and examined at all.

Question. What was done?

Answer. Well, there were some that voted that were not examined; some ballots that were received—simply their votes would be taken. With the haste and the tumult and the excitement, I think there were several of those that had their ballots put in the ballot-boxes in spite of my efforts.

Question. Were you chairman of the inspectors?

Answer. I was chairman.

Question. How did you obtain the position?

Answer. I was appointed by the other two in the morning.

Question. How many votes were polled in that district that day?

Answer. Nearly 600.

Question. How many persons were there waiting outside when the polls closed?

Answer. Well, I couldn't say; they were blocking up the door—persons either who voted before, or that seemed to be.

Question. Are you sure that all those that you saw there voted before?

Answer. I know that many of those that I saw there were those that voted before.

Question. Do you know how many were waiting there who had not voted?

Answer. I do not.

Question. At what time did you leave the polling place?

Answer. In the evening?

Question. Yes.

Answer. I should think from a half to three quarters of an hour after the polls closed.

Question. Were you behind the boxes all that half hour or three quarters?

Answer. Yes, sir; no, not the whole of it; I think that after the boxes were sealed I waited for one of the canvassers to come; I think I remained until the two canvassers that were there became somewhat impatient, and the crowd were demanding an organization of the board of canvassers, for I thought it my place to keep guard of the ballot-boxes until the canvassers came in charge of them; and as they didn't assume to take any charge of them, that it belonged to the board of inspectors to do so.

Question. Was any one in the act of voting at the time the polls closed?

Answer. There were those ready to offer their vote.

Question. How many were there ready to offer their votes when the polls closed?

Answer. I think there were a dozen in the room; there may have been less; there may have been more.

Question. Were there as many as the room could hold in the line, or had held during the day?

Answer. No. There had been many more present.

Question. Could you, at the time the polls closed, see the end of the line of the persons waiting to vote?

Answer. I don't think that I occupied a position where I could see the line at all.

Question. Can you tell us what right you had to close the polls while there were voters waiting to vote?

Answer. The law was specific that the polls should be closed at sundown, and I spoke about closing the polls some few minutes before they were closed; and my watch, that I had, indicated the exact moment, and as my two associate inspectors were in doubt—thought that I was ten minutes too soon—I continued the balloting ten minutes beyond my belief that it was sundown in order that I might give full measure, as I had said, to a soldier's vote that had been shoved aside; and he came up—if it was not a soldier's vote it was one that had not been registered; I think it was one who had not been registered; I won't be certain whether it was a soldier's vote or one who had not been registered. My object in taking that vote was with my firm convictions, my belief, that it was sundown, and to be true to the trusts that were committed to me, that as little mischief should be done as possible, and as it required a long time to swear in the vote and examine the voter and examine his voucher; that it was proper and right for me to have made that one vote the last, as it was uncertain whether I had a right, or the inspectors had a right, to take it at all. And I therefore think and believe now that the boxes were kept open some ten or twelve minutes after sundown.

Question. Did you observe the indorsement that you took after sundown, as you supposed?

Answer. Well, I think it was a democratic ticket.

Question. Are you sure?

Answer. I am quite sure of it.

Question. Do you or do you not know that the court of appeals, in this State, have decided that it is legal and proper and the duty of inspectors to receive all votes which are tendered to them even after sundown?

Answer. I know most emphatically that they have no right to receive a vote after sundown. The law is emphatically that the polls shall be closed at sundown; consequently there is no inference or construction but that. I carefully examined it, because there are certain points in the election law about which persons have consulted me, and acted from the written instructions which I have given. The law is imperative that the books shall be closed at sundown.

(Question repeated.)

Answer. I don't know that decision at all.

Question. Do I understand you to say that the law positively says that no vote shall be received after sundown?

Answer. The law does not say so; the law says that the ballot shall be kept open from sunrise, in the cities, to sundown.

Question. That is all that it says, is it not?

Answer. Yes, sir; to sundown. There may be some little variation in the language. And then it specifies that the board of inspectors shall thereupon close and seal the boxes, (prescribes the mode how,) and assign them over to the inspectors.

Question. Will you be kind enough to say what threats were made against you by any persons there? I want the language. You have said that Mr. Connolly called you an old scamp, or something of that kind; what else was said of a threatening or abusive character?

Answer. I think that he threatened not only to knock me down, but to kick me—thrust me from the inside of the boards on which the ballot-boxes were placed; and I have been informed that he laid his hand upon his pistol in his pocket, and so believed it at the time—

(Answer objected to.)

it was so communicated to me on the occasion.

Question. You consider yourself a man of courage, don't you?

Answer. Well, my experience in the riots of July, 1863, together with some two or three experiences as an inspector, I fail in feeling, in a mob or riot, that intimidation that other men oftentimes feel, or pretend to feel, when they seek to get out of it.

Question. You don't feel any sensation of fear?

Answer. I am oftentimes influenced by prudential motives to allow things to be done.

Question. Were you at all intimidated or frightened by what occurred that day?

Answer. I was certainly influenced by the manner in which the mob were acting outside; and while he was going on with his violent language against me, I requested the police to at once go to the door; I asked them with great earnestness to go to the door and prevent the mob from rushing in. They were standing there at the door making an attempt to break in, and I could see their fists as they were shaking over the heads of the police; and I also heard violent threats, from the outside, that if they could get in to me they'd soon put an end to the damned old scoundrel that prevented the free voting; and I knew that if there was a fight there would be many lives lost, as it would be through the police on one side and the mob upon the other.

Question. Were you, in point of fact, at all intimidated or frightened?

Answer. I was so far intimidated by the circumstances in which I was placed, feeling——

Question. You are asked whether you were intimidated or frightened?
Answer. Well, at one time I expected to be shot.
Question. What did you expect to be shot with?
Answer. A pistol.
Question. Did you see any pistol?
Answer. I did not.
Question. Where did you expect the pistol was to come from?
Answer. I knew that there were pistols not only in the crowd, but one of the inspectors wore one upon his person.
Question. Did you see any?
Answer. I did not see any.
Question. You saw no demonstration with a pistol, of any kind?
Answer. I did not.
Question. No one said he was going to shoot you?
Answer. Words that were equivalent to it.
Question. What were the words?
Answer. I don't remember the exact words that transpired.
Question. What were the words that were equivalent to a threat of shooting?
Answer. I don't remember the words.
Question. They made no impression upon you?
Answer. I merely remember the fact; but the words I will not pretend to repeat.
Question. Was it at that time that you applied to the police for protection?
Answer. It was.
Question. What were the words used in answer to your appeal?
Answer. That they would wait until there was a demonstration made; that was the import of the words.
Question. Can you give me the exact words?
Answer. I will give you very near the words.
Question. When you were examined on the direct, you said the police said they would wait until there was "a demonstration of violence;" was that the language, or was it "a further manifestation of violence?"
Answer. I think they said a further manifestation.
Question. Are you sure the word "further" was used?
Answer. I think it was.
Question. Are you sure?
Answer. I think it was.
Question. What is the political character of that district?
Answer. Intensely democratic.
Question. Can you tell me what possible object there could be in getting up a disturbance on the part of the democrats in an intensely democratic district?
Answer. It is their nature.
Question. How was this disturbance finally stopped?
Answer. By the threat that if there was not a better preservation of order I would send for General Butler, and would close the polls for the day, and that seemed to allay the excitement a bit.
Question. In an intensely democratic district is it not more natural that a disturbance of the voting should be made by persons opposed to the democratic party than by persons in its favor?
Answer. No, sir; not a bit of it.
Question. Why?
Answer. Because, I have never known of a political disturbance in the city of New York that hadn't been provoked by democrats.
Question. Do you mean such democrats as are in the board of supervisors—Blunt, Shook, &c., or do you mean such democrats as Lincoln and Johnson?
Answer. No, sir; I mean the democrats—those that would gather around

the polls on the occasion of the elections, the disorderly portion of the party—not those that belong to the better classes.

Question. What do you mean by the better classes?

Answer. I mean those that are seeking for office, and use the word democracy as a lever for promotion.

Question. Then, what do you call the worst class?

Answer. Those such as congregated in the riots of July, 1863; that I considered as purely a democratic riot.

Question. Don't you think that whenever there is an election disturbance, don't you always come to the conclusion that it must have been got up by democrats?

Answer. I find that an investigation of the facts always results in that conclusion.

Question. Don't you think that almost all the disturbances in the moral and political world are got up by democrats?

Answer. I can't see the bearing of your question. You want me to give a sweeping answer. I think that democracy, according to the definitions of our books, is a very wholesome and commendable thing; but democracy, in its practices and professions is a very different thing altogether.

Question. Don't you think that all the troubles that exist in the country or in the city, or in political life, are occasioned by what is known by politicians as the democratic party?

Answer. Well, altering the word life and substituting a better word, which is more proper, I will answer most emphatically, that I believe that the great misfortune of our country, the rebellion, in its widest sense, and in its truest sense, has grown out of democratic principle; that every man engaged in the rebellion now, in fighting against our country, claims to be at the present moment a democrat; so that I hold that party responsible for our war. I am not a politician, and have not sought after any office. When I have been applied to, and offered any office, I always say no.

Question. What was your object in saying that you were going to send for General Butler?

Answer. For the preservation of order, when I found that my own means were insufficient.

Question. In what way did you expect that General Butler would preserve order?

Answer. I had no definite idea how it would be done, but it occurred to me that the best way to suppress a riot is to have the material on hand before it should break out; that, the excitement so nearly approaching to an outbreak, that the giving them to understand that General Butler was in the neighborhood, and in the reach of the call of the inspectors—that it might have a salutary effect upon the persons who were present.

Question. What did you expect that General Butler would do in regard to the rioting if he came there?

Answer. He would see that the inspectors were protected from personal violence, and that no violence should occur among the numerous electors that were then attending the polls.

Question. In what way did you suppose that General Butler would interfere? Did you suppose that he would go there personally, and by his great popularity, and the effect of his moral and social standing, quell the disturbance?

Answer. I expected that he would bring a small squad of men; that, if need be—they have their way, you know, those bayonet men, to quell a mob—and that, if need be, it would have a salutary effect.

Question. I understand you, then, that you desired a military interference with that election; is that so?

Answer. Not a bit of it.

Question. You merely desired the interference of the bayonet?

Answer. I desired that when the authority of the police and the authority of the inspectors should fail to preserve order, that those military appliances that were existing and properly organized in the city of New York should come to the rescue.

Question. Why didn't you propose to send for Major General Sanford, or some militia officer?

Answer. Because all other military officers, on the occasion of the election, as I understood it, were superseded by making General Butler commander-in-chief, or something of that kind.

Question. Why did you not send, or propose to send, for an additional police force?

Answer. Because I thought the police were present, and seemed to recognize so many of their acquaintances among the mob, were politically sympathisers with the large majority of the voters.

Question. Do you consider the police commission as a democratic body?

Answer. I do not.

Question. Why, then, did you fear to apply to the republican police commission to protect republican inspectors?

Answer. I had no means of applying to the police commissioners at all. Their police were about the room, but I had no means of sending. On one occasion I asked a policeman if he would not go to the station-house and ask for an additional force. He says, "I have no right to do it, but I will call one who has—one who is at the head of the election squad." I then asked him to ask him to come and see me; and I should think, after a little time a gentleman came in, whom I supposed to be at the head of the squad, and I waited before addressing him for an additional outbreak, when I should think it justifiable to call upon him to interfere.

Question. Was the police headquarters more remote than General Butler's headquarters?

Answer. It was.

Question. How much?

Answer. Well, the police headquarters were down in Mulberry street, I think, in the rear of the Olympic theatre; while I knew that General Butler was stationed at the Fifth Avenue hotel. I furthermore understood that General Butler had all the appliances at his command—his numerous staff—and the police being made subordinate to General Butler, that if there was an outbreak it would be my duty at once to request the policemen to repair with all possible haste to the quarters of General Butler, and make him acquainted with the matter.

Question. Was General Butler staying at the Fifth Avenue hotel or the Hoffman House?

Answer. Well, at the time I was not familiarly acquainted with the name of the Hoffman House; I thought it has been a hotel recently opened.

Question. I ask you whether he was staying at the Fifth Avenue hotel or the Hoffman House?

Answer. I don't know: since you mention that, I think he may have been at the Hoffman House.

Question. How did you know that General Butler had all the appliances to send his bayonet men down through our election districts?

Answer. From the complaint of the democrats that they didn't want any military interference; they wanted to carry on the election in their own way; and the general apprehension that there was something like twenty thousand irregular voters registered in the city of New York, and that they proposed to carry the State by the fraudulent vote to be cast in the city of New York, all of which I believed at that time.

Question. And that assured you that General Butler had the appliances at his command?

Answer. No; the representations, the conversation that I heard among numerous men; good citizens, who were possessed of large estates in the city, were so apprehensive that there would be an outbreak on that occasion, like the July riots, that they trembled at the prospect.

Question. Did their trembling tell you that General Butler had all the appliances at the Hoffman House?

Answer. No; I think I read it from the democratic papers. I once in a while got hold of the "News," the "World," and the "Express," and I think I saw that intimation in all those papers.

Question. What appliances do you mean that General Butler had?

Answer. I understood at the time that he had within a very short distance, within his command, some 7,000 or 8,000 soldiers.

Question. Did you want all of those seven or eight thousand soldiers sent down into the fourteenth district of the Eighteenth ward, or only a part of them?

Answer. If they were sent down for the purpose of quelling simply the riot in the Eighteenth ward, I think that only their personal appearance, showing that they were fighting men and had the appliances, would have been sufficient to intimidate the mob—simply the appearance that they had power to suppress a riot.

Question. If General Butler had sent his soldiers there, would you and your fellow republican inspector have continued to hold the election and receive the votes under that military guard?

Answer. Yes, sir; I was sworn to do so under any contingency whatever, unless prevented by superior power.

Question. You know that there is a law of this State prohibiting any parade or a demonstration of a military nature on a day of election, do you not?

Answer. I do not.

Question. Do you mean to say that there is no such law?

Answer. I do not mean to say that there is no such law; and if there were a law, it is a State law; and that a military command such as General Butler held takes the precedence of the State law on such an occasion as that. General Butler was at the head of the military command of the district, including the city of New York, and I go in for obedience to the higher power.

Question. How did it happen that you didn't send for General Dix instead of General Butler?

Answer. Because he had been superseded, and General Butler had been put in his place.

Question. Is that so?

Answer. I believed it at the time from information I received at the time from numerous announcements I had seen in the papers.

Question. Did you see that in the papers?

Answer. I did.

Question. In what paper?

Answer. I seen it in several papers.

Question. Tell me one paper in which you saw that General Dix had been superseded by General Butler on the day of election?

Answer. It may have been that the command of General Dix had not been diminished, but that General Butler was detailed for doing special duty under General Dix; that the duties of that day and some little time preceding, and some little time afterwards, was imposed upon General Butler through the solicitation of General Dix. I suppose that General Dix, on account of being a resident of the city, and not wishing to involve himself in any occurrence that might take place, that he preferred that some one like General Butler should be at the head of the military organization.

Question. Do you consider General Butler a democrat?

Answer. He claims to be, and I believe him to be exactly what he represents himself—a war democrat—and that means half and half republican.

Question. You say that your fellow-inspector, Connolly, found names too quickly on the reg ster?

Answer. Yes, sir.

Question. Do you mean that he found them quicker than you could have done?

Answer. I mean that he found them quicker than any one could; for he was not careful even to turn to the place where the man's name was registered. If his name commenced with A, he might be looking at the B's, &c.

Question. Did you look to see?

Answer. I did not.

Question. Were you watching him at that time?

Answer. I was, sir. I was watching, also, Mr. Hargin.

Question. I understand you, then, that you were watching Mr. Hargin and Mr. Connolly and attending to receiving the votes, all at the same time?

Answer. Yes, sir.

Question. And watching the clerks too, and watching the mob outside, and watching them selling liquor also?

Answer. Yes, sir; I tried to observe all that transpired within the circle of my observation.

Question. I understand you to say that you told a voter that the law required that he should have a householder to identify him?

Answer. Yes, sir.

Question. That you had waived that, and would make it simply an elector.

Answer. Yes, sir.

Question. Is that correct?

Answer. It is.

Question. Do you know what possible right you had to waive the requirements of the law of the State of New York?

Answer. From the very fact that I could find scarcely two persons in the democratic party that would agree upon the definition of the word householder, many contending that if a man slept in a bed-room or was a boarder, and lived in the ward and was a voter in the ward, they were ready to swear that he was a householder; and that the books—the political books—and the information that I sought for most earnestly in order to be properly posted up on that point seems to have given me a kind of a discretion; and as I communicated to both of the inspectors and took their views of it, they both acquiesced in it; that as there was so many coming from the engine-houses, you could not call them in one sense householders, for there were a great many that bunked at the engine-houses. Then there were a great many that lived in tenement houses; a great many slept in coal-bins that voted; a great many that didn't have any permanent sleeping place at all; and in order to give as little occasion for fault-finding as possible with me, purposing to discharge my duties impartially, (for I cared no more for the two candidates—not being personally acquainted with either; I don't know that I ever conversed with either one, or knew them personally; my interested feelings didn't extend so far as that, to care whether Mr. Barre, or Mr. Brooks, or Mr. Dodge was the successful candidate.) I was willing to err upon the side that would seem to be against my sympathies, rather than that I should be charged with harshness and exclusiveness. If I had carried out the full power as chairman that was intrusted to me, and had been supported by one of the inspectors, I could have kept probably more than one hundred ballots out of the ballot-box on the 8th of November last; but my giving that liberal construction that a householder was merely a resident in the place, in the ward, or in the election district where they offered their vote,

it admitted a great many to the ballot-box that otherwise perhaps ought to have been excluded. I have not felt altogether well on that particular point. I think that I should have required the one who came as a voucher to have given his residence, and to have sworn that he kept house; to be a householder; that he had a family; that he was known in the neighborhood as being a permanent resident. I think that would be the effect of the law—a man who would be considered as responsible for an illegal voter.

Question. Don't you know that in taking the affidavit of an elector merely instead of a householder you were violating the law of election?

Answer. I told you I so construed the word "elector" as to mean householder, because that was in accordance with the numerous designations that had been given to me by persons who were responsible for their opinions, and the construction that had been put upon it by the other inspectors in the numerous wards of the city.

Question. Do you believe on your oath that the term householder in the election law, and the term elector or resident, mean the same thing? I would like an answer, yes or no.

Answer. It seems to me that when I have given so wide a definition to the word householder as to include persons who had a permanent abiding-place, and although they were not at the head of a family, and were not the occupants of a hired house, or anything like that, the wide and liberal construction that I put upon it ought to excuse me from being called upon to give a positive, exact, dictionary definition of the word. If I was I would say no. If I carried out the practices of inspectors of elections, I would say yes. There you have the answer; and take your choice. I was influenced by wishing to conduct the election in a fair, honest, and impartial manner.

Question. I don't want to know what your construction was; I don't want to know what the construction of the inspectors was. I merely want to know whether you, in your conscience, believe that the election law meant "resident" or "elector" when it said "householder," in reference to this matter; whether you believed so in your conscience then, or whether you believe so in your conscience now?

Answer. It does not admit of a direct answer, because in giving that I am greatly misapprehended. The chairman of a board of inspection is supposed to be ruled by his two associate inspectors when they vote and instruct a chairman to consider a man an elector who is a boarder in a house, and entitled to vote. He is in that district—that he has been a resident of that district, and a long time a resident in the district where he has voted. In all those cases I asked him how long he himself had been a resident in the ward and in the district. When the answer was given in a satisfactory way, I would then shorten the ceremonies as much as possible, and ask him, "Do you know whether this elector"—calling him by name that was offering his vote—"to be an elector in this election district at this time?" and doing it in the briefest space possible. Considering that we cast nearly six hundred votes, you may judge that, taking out the stopping places, which were always caused by Connolly, it is almost three votes a minute. It was unparalleled; it has been scarcely ever reached before.

Question. You have not answered my question.

Answer I will answer it by saying that the inspectors decided that an elector was a householder.

Question. Did you believe that at the time of the election, and do you believe it now?

Answer. I hardly believed it at that time that it was a fair construction of the law.

Question. Do you believe so now?

Answer. I hardly believe it to be a fair construction of the law now. I would be pleased to have the motives by which I was influenced recorded.

Question. You say that Mr. Connolly changed a vote?

Answer. Yes.

Question. What was there at the extreme right of the polling place? You say he went to the extreme right; what was that?

Answer. The extreme right was a space that was usually filled with persons in the line taking their turn to approach the ballot-boxes to vote.

Question. What was there on the extreme right inside of the bar—inside of the boxes?

Answer. Nothing but a space. The chair of one of the clerks may have come up pretty near by it; but he stood pretty near at the back of the clerk.

Question. Have you ever made any complaint against Connolly for changing that vote, as you say?

Answer. I have not.

Question. Have you ever been before the grand jury?

Answer. I have not.

Question. Have you ever been before any police magistrate in regard to it?

Answer. I have not.

Question. Did you ask any police officer to arrest him at that time?

Answer. I did not.

Question. Have you taken any other action in reference to the matter than to come here and testify this afternoon?

Answer. I have taken advice on the subject.

Question. I ask you whether you have done anything?

Answer. I have not.

Question. Did you consent to the reception of that written ballot, "I give my vote for McClellan?"

Answer. I had no alternative.

Question. Did you give your consent?

Answer. I ordered the ballot.

Question. Did you give your consent to receiving the vote?

Answer. I did.

Question. You received it personally as chairman?

Answer. I did not. I received it as chairman, and referred it to my associate inspectors. We considered that we had no alternative but to receive it and give it to the canvassers.

Question. How did you happen to see what was in that ballot?

Answer. Because it was an open ballot—never had been folded—a flat piece of paper.

Question. You say you saw Mr. Irving there—Mr. James Irving. Do you know him?

Answer. I did not, excepting as I recognized him there. I say "recognized him there;" he was pointed out to me.

Question. Do you know for whom he was working for Congress—who he supported?

Answer. I did not, sir.

Question. Have you never learned in any way?

Answer I have not, sir.

Question. You never have heard any one say?

Answer. I have not, sir.

Question. Have no knowledge on the subject whatever?

Answer. Not a bit.

Question. Who pointed him out to you?

Answer. I think Mr. Hargin.

Question. How did he point him out to you; for what purpose, and how?

Answer. Well, Hargin was called out twice, and I think it was on the occasion of the first time of his being called, that when he came back he spoke about his seeing these parties having an interview with some of his acquaintances outside, and when there was a considerable tumult, and when I wished to identify a person, (as I was an entire stranger to nearly every person that voted.) I don't think I recognized more than three or four during the entire day. I thought that as he knew a great many I would inquire about persons. I mean that would be standing in front, and not participating at all in the vote.

Question. Do you know whether James Irving voted?

Answer. I have no recollection that James Irving voted.

Question. How did you happen to notice this man who was pointed out to you as Irving? What was he doing there? What called your attention to him?

Answer. He was one who expressed very great anxiety that everybody should vote, and that there should be free voting on the occasion.

Question. Do you mean to say that he was one of the disturbers of the peace and quiet there?

Answer. I think he was standing there by the side of Owen, who was exceedingly boisterous and ugly.

Question. You don't mean to say that he was anything of a ringleader?

Answer. I don't mean to say that he was; he was standing with Owen; they were standing almost together.

Question. Who was this Owen?

Answer. I don't know. He gave me to understand that he had full power to interfere with the affairs of the election. I told him that I would have no interference from him—that he had no right to be there interfering with the affairs of the election—that I had duties to do, and should discharge them; but Irving, so far as his annoyances were concerned, they were not such as I should even have thought of preferring any complaint against him.

Question. What is your present occupation?

Answer. I am employed as a clerk in the Tribune office.

Question. Have been so for a long time?

Answer. Yes, sir, thirteen or fifteen years.

Question. You were an active member of one of the republican organizations of the Eighteenth ward?

Answer. I used to attend their meetings.

Question. Did you hold any office?

Answer. I was simply a member of the executive committee.

Question. Of what other committees were you a member?

Answer. Well, there was a police committee, to which Senator Lainbeer belonged.

Question. What other committees were you on?

Answer. I was on the printing committee.

Question. Any other?

Answer. I was on a committee at one time for getting up a procession of some kind.

Question. Were you on the finance committee?

Answer. No.

Question. Did you attend any meeting of that organization of the executive committee, or any other committee, in reference to raising funds for the election?

Answer. No, sir. I was made acquainted that there was such a committee appointed.

Question. Who composed that committee?

Answer. There was James Kelly and Senator Manier, and Alderman Ottiwell, and James M. Thompson, and some others whom I don't recollect. It was not often that I attended their meetings.

Question. Was the subject of money never discussed in the executive committee?

Answer. I have heard it discussed.

Question. How frequently?

Answer. Well, several times. Whenever we wanted funds we discussed the mode of raising them.

Question. Do you know who contributed to the funds of the Eighteenth ward association the largest sums?

Answer. No, I don't.

Question. Do you remember the names of any of the contributors?

Answer. I do not.

Question. None at all?

Answer. Not one.

Question. You were a member of the printing committee?

Answer. Yes, sir.

Question. What was the amount disbursed on that committee, do you know?

Answer. I never served on it.

Question. What moneys did you disburse on any committee?

Answer. I never disbursed any.

Question. What moneys do you know of as being disbursed by the printing committee?

Answer. I never heard of any except the payment of advertisements.

Question. To what amount?

Answer. Nine dollars.

Question. No more than that?

Answer. No, sir.

Question. Never heard of any more being paid than that?

Answer. Nine dollars or nine dollars and fifty cents. There was more paid than that, because the advertising in different papers would be more.

Question. Have you ever heard of any money being spent for any other purpose than advertising?

Answer. Yes; on the occasion of the election there was an appropriation made for getting up ballots. I think for printing the ballots for all the different candidates.

Question. In the Eighteenth ward?

Answer. I think it was.

Question. What kind of ballots were they to be?

Answer. I am mistaken about that; it was a subsequent election?

Question. Is that all you know about money being furnished by that association?

Answer. I don't know of any other, because I have never taken any interest in the financial affairs of the association. I know there has been money spent, but I don't know the mode of raising it; neither do I know the items of expenditure.

Question. By whom was money spent there?

Answer. I don't know. I don't know of one.

Question. You can't tell me of one man who disbursed any money during all that time?

Answer. No, sir. The advertising bills, I think, were usually paid bv Ottiwell. I think he was made treasurer. But whatever contributions or taxes were levied upon different persons, I don't know. I will not be positive even about that.

Question. Do you know that during the whole of that election day you were ever ready to deposit a ballot in the boxes until you were hurried by some one?

Answer. I hastened the ballot as fast as it could be done, irrespective of its quality, its nature, or the appearance of the party who presented it. The ballot

was faster than that of any other election I have ever attended. It was faster than it could be done in a legal, proper way.

Question. Do you think that you acted and spoke as rapidly and concisely on the day of that election as you have done to-day?

Answer. I do.

E. H. JENNY.

Attest:

JOHN R. BRADY, *J. C. P.*

John R. Hargin sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you reside?

Answer. 101 East Seventeenth street.

Question. What is your occupation?

Answer. I am an upholsterer by trade.

Question. How long have you followed that trade?

Answer. I have followed it somewhere between thirteen and fourteen years, sir.

Question. Have you practiced that trade in the residences of Mr. Dodge and myself?

Answer. I have occasionally, sir.

Question. For how many years?

Answer. It might be between ten and eleven; I think it is about that time.

Question. Are you a citizen of the United States?

Answer. I am, sir.

Question. By birth or naturalization?

Answer. By naturalization.

Question. Had you any official position in the last presidential election connected with the polls?

Answer. Do you mean prior to the election?

Question. I mean the day of the presidential election.

Answer. I had, sir.

Question. Where?

Answer. Thirteenth district of the Eighteenth ward.

Question. What positions did you hold at that time?

Answer. On the day of election I was inspector; prior to the election I was chairman of the board of registry; on the evening following the election I was selected as a canvasser—that is, by the two remaining canvassers.

Question. You were register of the thirteenth district of the Eighteenth ward?

Answer. I was, sir.

Question. Were you present at the sessions in which that register was corrected?

Answer. I believe that I was not absent at any time more than an hour or two during the entire registry.

Question. Have you held any such positions before?

Answer. I have.

Question. Often?

Answer. Some three or four times, I think.

Question. Were the books of registry of that district regularly made up and corrected?—in other words, were there any irregularities connected with the duties discharged?

Answer. In the first place, the poll-list could not be got in the proper time in that district through some inadvertence of the county clerk, and we had to

wait some time for that; then there was a sort of informal one got up—in fact, it was myself that assisted in getting it up, as some of the other inspectors didn't attend to their duties, Mr. Rusche not being present. I got a blank book and got it filled up, persons applying to have their names enrolled or registered. Several times I refused votes, although finally I was obliged to do it. I was forced by a blackguardism sometimes to have names entered in this book that we got up.

Question. How long before you got the regular book?

Answer. I forget now.

Question. When the regular book was attained did you enter the names from this informal, irregular book, into the correct book?

Answer. I did not, but the clerk did.

Question. Did you register the names of any soldiers whose ballots were brought there?

Answer. No, sir, they were not registered; they were deferred to the day of election for the action of the inspectors. The object of that was, should a name not be carried out as a soldier's ballot any person might come and vote on it. It was done in some instances; I believe they voted on some names that they had no right to.

Question. You say you were inspector of election in this same district?

Answer. I was, sir.

Question. And used one of these registers that were fixed by your board of registry?

Answer. I did, sir.

Question. Where were the polls of this thirteenth district held?

Answer. Southeast corner of Twentieth street and First avenue.

Question. At whose place?

Answer. Thomas Conner.

Question. What was his occupation?

Answer. He keeps a liquor store.

Question. Did he sell liquor upon the day of election?

Answer. He did, sir.

Question. Frequently?

Answer. The entire day.

Question. Was there any liquor brought into the place where the ballot-boxes were?

Answer. There was, sir.

Question. Did Mr. Connolly take any?

Answer. He did.

Question. What time were the polls opened?

Answer. They were opened in the morning, near sunrise.

Question. How did you organize your board of canvassers?

Answer. There was a little delay of a minute or two, and then we organized by electing Mr. Jenny as chairman.

Question. Who received the ballots?

Answer. Mr. Jenny received the ballots.

Question. Did you receive any soldiers' votes there during the day?

Answer. Yes, sir.

Question. Did you receive all that were offered?

Answer. Not quite, sir.

Question. How many were offered that were not received?

Answer. I presume there might have been; I could scarcely give you exactly, but I think there were over thirty not received.

Question. Do you know any of the parties who offered soldiers' votes?

Answer. I do, sir.

Question. Could you give the names of any?

Answer. I can a few; Michael Hughes, Christopher Higgins. I have heard of other parties who were indignant that votes they had were refused. One gentleman said that seven of his friends had soldiers' ballots, and they were refused. If you want his name I will give it. Sometimes persons holding those tickets persevered and would not allow persons in front to interfere with their rights; they were determined to vote, and did vote. In the case of Mr. Hughes, he came there three times, I think, to vote, determined to exercise his right, and was prohibited by this James Owens. I, myself, heard Owens's language to Mr. Hughes.

Question. Who was this James Owens?

Answer. He was a man who, as far as I know him, (I have known him casually for four or five years,) lives on politics—that is, such means as he receives through politics.

Question. On the republican side?

Answer. No, sir.

Question. Did he appear to be a friend of any of the inspectors?

Answer. Yes. sir, his sympathies seemed to be with Mr. Connolly.

Question. What time of day was he there?

Answer. Almost the entire day.

Question. Do you remember what he said to Mr. Hughes when he offered his soldiers' votes? What were the words?

Answer. "God damn it," he says, "why will you interfere? Don't you see it is challenged, you damned old son of a bitch?"

Question. Who was the old man he referred to?

Answer. Mr. Jenny.

Question. Did Mr. Jenny make any efforts to secure a reception of these soldiers' votes?

Answer. He did, sir.

Question. How happened it that he didn't succeed?

Answer. I have got to explain that as it occurred. The crowd in front was very strong, and the sympathies both of Mr. Connolly and his crowd were apparently the same, and anything he would say the crowd took it up. In fact we were in such a tumult all day that we could hardly tell what we were doing. Two or three times he was trying to quarrel with me, and he was always quarrelling with Mr. Jenny. I have noted a great deal of the language; in fact, I made memorandums of some of it.

Question. Did you hear the testimony of Mr Jenny?

Answer. A portion of it, sir.

Question. Did you hear him say anything about menacing language being addressed to him?

Answer. I heard him say something in relation to that.

Question. Did you hear any such language on the day of election?

Answer. I did, sir, the entire day.

Question. From whom?

Answer. Mr. Connolly and several of the parties in front.

Question. Did Mr. Connolly make any threats, the words of which you can recall, against Mr. Jenny?

Answer. Yes.

Question. State those which you can recall.

Answer. A good deal of it I don't like to come out with.

Question. State that which shows the threat, omitting that which seems to be improper, if possible?

Answer. I must give the whole of it, if I give any.

Question. Give the whole.

Answer. He called him a "God damned old fool;" a "mean, lousy, son of

a bitch;" and "he couldn't fuck him nohow in that way." That is his language.

Question. Did this Connolly address any threatening language to you?

Answer. He did, sir.

Question. Did he say anything about throwing Mr. Jenny over the counter?

Answer. He did, several times.

Question. Did he draw any weapon upon Mr. Jenny, or threaten him with any?

Answer. He put his hand into his pocket, and I presumed, from his motions and his general appearance, that he was about drawing a pistol.

Question. Can you recall his words?

Answer. I have given the language he used once. He said he would smash the son of a bitch—"I will smash you, you son of a bitch, across this counter."

Question. Did you hear Mr. Jenny appeal to the policemen for aid?

Answer. I did, sir.

Question. What answer did they make to his appeal?

Answer. Well, at the time that Mr. Owens claimed to have received his power of deputy sheriff from a person—I think it was from Mr. Lynch—after he left the room Mr. Owens claimed to have received the appointment of deputy sheriff.

Question. Did he pretend to exercise any authority?

Answer. He did, sir; he buttoned up his coat, as though he was going to take general possession there.

Question. Did you leave the polls at any time during the day?

Answer. I did; twice.

Question. Why did you leave?

Answer. I was asked out of the room, sir.

Question. By whom were you asked out?

Answer. James Irving.

Question. Did you know Mr. Irving previous to this request he made to you then?

Answer. Oh, yes; I seen him on several occasions; I saw him on an election prior to that, when a man's brains were almost battered out; I believe Mr. Irving was in company with some of the parties; I don't say he was one of the parties that struck him.

Question. How long was Mr. Irving at the polls?

Answer. He was there three or four times during the day; I couldn't exactly recollect how long.

Question. This time when you went out at his request, what did he want of you?

Answer. He asked me outside the door, and I couldn't leave at the moment; I asked Mr. Jenny—he insisted on my going, and I asked Mr. Jenny if I could step out for a minute; I asked him if there was anything that prevented my going out—that the man had a parcel for me.

Question. Did he tell you that he had a parcel for you then?

Answer. No, sir; the day previous.

Question. Where did you see him the day previous?

Answer. At Tammany Hall. I don't know; it was either Monday or Saturday; somewhere in that neighborhood.

Question. What were you doing at Tammany Hall, when he met you?

Answer. I was on my way down to see Mr. Jenny, at the Tribune office, on some business. I had learned from some parties that he would be one of the inspectors with me, and I wanted to make myself familiar with him before the election.

Question. What did Mr. Irving say to you at Tammany Hall?

Answer. I can't remember the exact language; the nature of it was, he had

asked me in to have a drink; I told him I hadn't time; he told me I was not so busy that I couldn't go in and take a drink with him. He said, "Oh, hell! come in; I will want to see you to-morrow." Says I, "Well, you can see me any time." I said he could see me up there, and he said he had something for me. He came up there on the morning of the election, I presume, in accordance with his promise. After I went out he brought me to one side, and he said, "Here, put that in your pocket," handing me some money. I asked him, "What is that for?" "What a damned fool you must be!" he said, "put that in your pocket; take all you get and say nothing." I put the money in my pocket; there were several gentlemen present, and I didn't hide it a bit; they saw it. As I was about going in, says he, "Now, I want to talk to you." Says he, "When votes is on the boxes, don't you trouble yourself much about that registry." Says he, "Let your word be 'down.'" After I came inside I told Jenny what had occurred; he shrugged his shoulders a little bit, and didn't pay any attention to it, apparently. Mr. Irving came a little back, and says, "Don't forget, now." He sung out "Down with it," several times himself.

Question. What did he mean by saying "Down?"

Answer. That is, down with the vote.

Question. Were you checking the registers?

Answer. I was, sir; and that was the understanding I had of the expression.

Question. What made you take this money?

Answer. I thought I might as well take it, and see how far Mr. Irving was going to go.

Question. Did you notice any changing ballots that took place there during the day?

Answer. There was one time Mr. Jenny told me to keep my eye on a ballot he had just passed to Mr. Connolly, and I did watch it.

Question. Am I to understand you as saying that a ballot was offered to Mr. Jenny, and that he handed it to Mr. Connolly, and then called your attention to the fact?

Answer. The manner of receiving that ballot was this: At the time of this occurrence Mr. Connolly had passed his book over to Assistant District Attorney Hutchings for the purpose of finding the names quicker than he could; he couldn't seemingly attend to his business of putting the votes in and finding the names quick enough; and Hutchings took the book and would sing out that they were all right. At that time, when I found that going on, I thought it was not right. I always showed the name upon my registry to Mr. Jenny, so that he might decide whether it was right; Mr. Jenny had this ballot, and Connolly says, "You damned old fool," says he, "let me have that, I will distribute that," snatching the ticket out of his hand. Mr. Jenny told me to take cognizance of that, and I kept my eye on him, and didn't think his action was all right; yet I wouldn't be positive that he did change the ballots.

Question. Is Mr. Hutchings a republican?

Answer. I think not, sir; I believe him to be a democrat.

Question. Do you remember whether Mr. Hutchings found the case of a single elector whose name was not down on the register?

Answer. He did not, sir.

Question. Did anybody else take the registry during that day who was not an inspector, besides Mr. Hutchings?

Answer. I think there did, but I can't call my recollection to it. There was a knot of them standing at the corner where Mr. Connolly stood.

Question. What is your recollection of the speed with which the balloting was conducted?

Answer. Judging from my own labor, I thought it was very fast.

Question. Do you think it was hastened or delayed?

Answer. I think it was often delayed by the conduct of persons outside; while it was going on I didn't see any unnecessary delay.

Question. How many spectators, partisans of either party, were there in the room?

Answer. Seldom less than ten at a time in the room, and often as many as—I suppose I might say thirty; you couldn't crowd many more into it.

Question. Was the crowd orderly or disorderly?

Answer. Exceedingly disorderly all the time, almost.

Question. Did it give manifestations of pleasure or dissatisfaction with the proceedings?

Answer. They seemed to shout and hallo at every movement of Mr. Connolly.

Question. Did many many of them appear to know Mr. Connolly personally?

Answer. He seemed to be friendly with them all. From the disposition manifested it was evident that they were acquainted. I noticed that he was brought down his coffee and his food, and kept in good condition, while we were kept without it.

Question. Were there any irregular ballots received, that were written instead of printed?

Answer. I think on two or three occasions there was an irregular ballot; one I am positive.

Question. Describe that.

Answer. It was a written ballot, about that square (indicating)—"For President, George B. McClellan; for Vice-President, George H. Pendleton."

Question. Was it signed?

Answer. No, sir; it was not signed; it came inside of a soldier's envelope.

Question. Was there any discussion over it?

Answer. There was considerable.

Question. Was it deposited in the ballot-box?

Answer. It was, sir.

Question. You left the room twice; the occasion of the first leaving you explained; why did you leave the second time?

Answer. I asked permission of Mr. Jenny, as he had an argument about my depositing my ballot in the district where I was inspector; he said I had a right to deposit my ballot in that district. In order to avoid any trouble, or anything of that kind, I asked permission of him to go.

Question. When you came back who was discharging your duty?

Answer. Thomas O'Connor.

Question. Is he the man you told me owned those premises—a liquor-dealer?

Answer. Yes, sir; he and the clerk alternated in my place.

Question. Had this O'Connor been sworn?

Answer. Not to my knowledge, sir.

Question. What were his politics?

Answer. Well, I should consider that he had no politics; he was somewhat of a secession man; he was a great advocate of Mr. Davis.

Question. How do you know he was a great advocate of Mr. Davis?

Answer. By his language and his conduct in the room on the day of election.

Question. How happened it that these various irregularities were not stopped by you and Mr. Jenny?

Answer. We appealed to the police, sir, but there seemed to be an understanding, except at one time of the day—whether it was from sympathy or otherwise I can't say—amongst the police and the crowd. There was only one occasion that we were able to maintain order, and that was at the time Mr. Owens was ejected from the room; and he was back again inside of two or three minutes. That was prior to his claiming to receive the authority of deputy sheriff.

Question. Did this man meddle with the tickets inside of the room?

Answer. Yes, sir; I see him snatch tickets out of a man's hand and substitute others.

Question. Did he take some of them off the ballot-box?

Answer. He did, twice.

Question. Was nothing said to him about this interference?

Answer. Mr. Jenny remonstrated with him, but it was of no use; the noise was so great no person could maintain order.

Question. Did Mr. Jenny tell Inspector Connolly what would be the consequences of his proceedings?

Answer. He told him several times.

Question. What did he tell him?

Answer. He told him he would have it brought to the notice of the grand jury; asked him to think of the position he was in, and the legal remedies there were for it. I can't remember his language distinctly.

Question. Did he tell him what would be the effect upon the district?

Answer. He did; that it would be thrown out.

Question. Can you swear distinctly that he told the man Connolly that that would be the result?

Answer. I do, positively.

Question. Can you swear that he did it more than once?

Answer. I think several times.

Question. What reply, on either of these several occasions, did Inspector Connolly make to his information?

Answer. He told him to "kiss his ass," once or twice, "an old son of a bitch."

Question. Who said that?

Answer. Connolly did, sir.

Question. Were there numerous altercations between Connolly and the others all the day?

Answer. It was one steady altercation all day long, sir.

Question. Why didn't Jenny, evidently a man of courage, insist upon ending this disturbance?

Answer. He buttoned up his coat and said he was bound to have order; Connolly put his finger to his nose, like that, (illustrating,) and said, "Do you think, you old fogey"—using similar language to that which he used before—"that you are going to come that over me? You can't do it," he says. He made an attempt to take hold of Jenny, and Jenny buttoned up his coat and said, "I might as well die in defence of the ballot-box as anywhere else; it is a good place to die," he says.

Question. Did Jenny, at any time during the day, make any remark to you as indicating the fact that you, the republicans, were in a minority in the room?

Answer. He said that we had to be firm; that we had no assistance; unless we stood firm, and took care of the boxes, he was afraid that the mob would take charge of them. He says, "You can't expect much from the police; they don't seem ready to give us any assistance; stand ready to protect the boxes; I will die where I stand to do that."

Question. Did you hear him say anything about General Butler?

Answer. He did say that he believed General Butler was up at the Hoffman House, and that he was there as a magistrate, and unless the people would stand by him he would exercise the prerogative that the law gave him.

Question. Do you know how far this Hoffman House is from the Fifth Avenue Hotel?

Answer. It is not very far, sir.

Question. Is it two blocks?

Answer. Yes; I think it is. No, a block and a half.

Question. Is it in the Twenty-first ward?

Answer. I think not, sir; I think it is in the Eighteenth ward.

Question. What ward do you think the Fifth Avenue hotel is in?

Answer. The Eighteenth.

Question. Were you regularly appointed by the board of supervisors as inspector?

Answer. I was, sir.

Question. Were you appointed by the board of supervisors as canvasser?

Answer. I was not, sir.

Question. Were you sworn by the clerk of the board of supervisors?

Answer. No, sir.

Question. How happened it that you acted as canvasser?

Answer. The person who was appointed to act as canvasser did not appear, and in half an hour after the closing of the polls the crowd was impatient, cheering and shouting for McClellan and Brooks, and hooting and calling me a blind son of a bitch, and all such language as that; that I was trying to get away myself, and Mr. Jenny was determined to stand by the boxes until the board of canvassers took charge of them. Lynch finally suggested that I should be appointed to fill the vacancy.

Question. Who composed your board as finally constituted?

Answer. John Connolly, John Lyst, and myself.

Question. What did Mr. Jenny say to your acting as canvasser?

Answer. He advised them not to put me in that position.

Question. Did he tell them that it was illegal?

Answer. He did, sir.

Question. Did he make any formal protest?

Answer. He did. He said, "Gentlemen, I protest against this action."

Question. Did he state the grounds of his protest?

Answer. He did. I don't remember the language he used, but it was because I was not sworn. He had some book in his pocket, from which he read something to them, showing them that their action was not right, and also invited them down to his house on the following Sunday, and he would have full evidence for them.

Question. If you saw the book out of which he read would you recognize it?

Answer. I might. If I saw a similar book I think I could find the passage.

Question. Is that the book (handing a book to witness) prepared by the county clerk for the instruction of officers at the polls; was it a book like that? [See appendix, marked W. W. Phelps, March 27, 1865.]

Answer. Yes; I was trying to find the passage from which he read. I remember distinctly about his reading it on the evening of election. It was somewhere about the centre of the book. I know they took some cognizance of Jenny's recommendation, because they sent a person called Thomas Miller up to Fourth avenue and Eighteenth street, for the purpose of seeing if Supervisor Briggs was there, to see about it.

Question. Do you remember what reply either Connolly or Lyst made?

Answer. They said that he was disappointed that they did not select him for the position.

Question. Did the board then proceed to the canvass?

Answer. After some time they did, sir.

Question. Who unfolded the ballots for member of Congress?

Answer. All three together; I unfolded some of them.

Question. Did you unfold your proportion?

Answer. I did, sir.

Question. Did you find any of them irregular?

Answer. I found two votes, one wrapped inside of the other, in some cases.

Question. How many such did you find?

Answer. I think between eighteen or twenty.

Question. Did you see for whom those ballots were?

Answer. Not particularly, sir.

Question. Do you know for whom any of them were?

Answer. I think there were some for James Brooks.

Question. Did you see any for Mr. Dodge?

Answer. I did not, sir.

Question. Could they have come so by accident?

Answer. No, sir.

Question. What did you do when you discovered these ballots?

Answer. I was the inspector who had charge of the congressional box, and I knew they could not have got together by any mistake, and I held them up in my fingers and said, "Mr. Connolly, here are two ballots in one; I will tear one of them." "No, sir," he says, "I am chairman of the board of canvassers; all you have got to do is to stand by and look on."

Question. Did you tear up one of them?

Answer. I did, sir.

Question. What became of the parts?

Answer. Mr. Connolly took charge of the parts, and afterwards counted them as a ballot.

Question. Did he count all these ballots double votes?

Answer. He made no distinction, sir; he put them into the pile.

Question. Were there any irregularities in the county ticket? Did you open them?

Answer. I unfolded a portion of them. I have explained the irregularity I saw. There were several county tickets that I thought were improper, but I didn't see any double ones.

Question. What was done with these, in some cases?

Answer. If satisfactory to their ideas, they counted them; if otherwise, they refused them.

Question. What did you say as to this?

Answer. I objected, but my objections were overruled.

Question. Were there many persons in the room besides yourselves?

Answer. Yes; there was a crowd of persons.

Question. Were there any disorderly proceedings during this canvass?

Answer. Yes, sir; they took the pile of tickets I had two or three times, and said they would relieve me of all labor—would not allow me to handle them at all, and Mr. Connolly counted them; Mr. Connolly told me to go out and get some oysters for them. Once I told him I didn't think it was right, although I was in the minority; he finally got a little more friendly. Once in a while, when I got a pile of tickets I wanted to look over prior to handing them to him, Lyst would put out his hand and take them from me, doing it in a half pleasant way, but a little ugly at the same time.

Question. In the presidential tickets were there any irregularities?

Answer. Yes; this written ticket was counted the same as one of the others. I spoke of the objection made during the day by Mr. Jenny; he said that the canvassers wouldn't allow that. It was counted the same as the others.

Question. Did the canvassers sign the tally-books?

Answer. The tally-books were signed before the counts were made out.

Question. How did that happen?

Answer. About 4 o'clock in the morning all the votes were counted, and there was some little feeling that they were not altogether right; when all the papers were collected there were some—if I remember right—I am quite sure—I will treat on it—we had twenty-three ballots that came from soldiers; we had those, as we had to send those to the supervisors—counting up those ballots, and looking over our papers after we had signed the book—allowing the clerks to make up the list, we each of us took a copy of the votes counted, and it was

understood—Mr. Connelly proposed—that the clerks would take the tallies home and make out the books from that. After we had had some words upon it, there came in Mr. Beard, Mr. Cowen, Mr. Owens, and I believe a man named Kelly, and asked us how we got along. This was after we had decided that our business was done. We had signed the books in blank and left them to the poll-clerks to fill out; and they came in to ask how it was. They wanted to know if our tallies and other counts balanced. They did not balance, for the reason that the poll-list and the soldiers' votes, and the returns for the different candidates, all didn't make the proper total, and Mr. Beard, he took a pencil and some paper and commenced to show them how to finish up the books by the poll-list; and the books were passed freely around the room, so that a number of persons could examine them. I was all alone—not a single person there with me. The police did not interfere so long as no person had been struck. They said they could not, so long as there was no breach of the peace. I asked the chairman to excuse me—I would not be a party to anything of the kind—and requested officer Feagan to accompany me home from the station-house. The captain ordered him to see me home. I was told the next morning that it was half-past six in the morning when they got through, and that they regulated all the books; and on looking over the poll-list afterwards, I see they did regulate.

Question. Do you swear that at the time you left on account of the interference of these strangers, your tally did not correspond with the poll-list?

Answer. No, sir; none of the poll-lists corresponded—not one of the tallies held by the two clerks. They didn't foot up the same. The poll-list and other papers didn't foot up the same, for the reason that there were twenty-three soldiers' votes; the poll-list only shows six at present.

Question. Were any threats made against you during the day or evening?

Answer. Yes, sir; I was beat during the evening.

Question. By whom were you beaten?

Answer. I am not positive as to who it was.

Question. Was it by any one who had threatened you during the day?

Answer. Yes, sir; it was.

Question. How seriously were you injured?

Answer. So much so as to draw blood from my ears.

Question. When and where was this?

Answer. At the time that, by request, I went to order some oysters. Two policemen were standing at the opposite corner at the time, but they didn't interfere. I hallooed "Police!" and turned and looked; but before any assistance came, this man had run away.

Mr. WATERBURY:

Question. You said you were not a native of this country.

Answer. No, sir; I am not.

Question. Where were you born?

Answer. In Connaught.

Question. In what country?

Answer. In Ireland, sir. I was born in the town of Sligo.

Question. When did you come to this country?

Answer. 1850.

Question. How old were you when you came to this country?

Answer. I might be in my fifteenth year or thereabouts.

Question. Where did you go to live when you came here?

Answer. I lived in Twenty-sixth street.

Question. How long did you live there?

Answer. I have not made any memorandum of it.

Question. Where did you go to from that?

Answer. Twenty-eighth street.
Question. What court were you naturalized in?
Answer. Superior court.
Question. Before what judge?
Answer. I don't remember the judge's name.
Question. When was it?
Answer. The sixth day of October.
Question. What year?
Answer. 1860.
Question. Who was your witness?
Answer. John S. McAdam and James Rogers, I think—young Rogers down in Wall street.
Question. What is his business?
Answer. He is a lawyer, sir.
Question. How long had you lived in Twenty-eighth street?
Answer. Five or six months.
Question. Have you lived in this part of the city all the time?
Answer. I have lived a portion of the time in the western part of the city; the last seven or eight years I have lived over on this side. I have lived on Thirteenth street, First avenue, Seventeenth street, Sixteenth street.
Question. What district did you vote in?
Answer. I voted corner of Fifteenth street and Third avenue after I had received permission from Mr. Jenny.
Question. What district is that in?
Answer. I don't know the number of the district.
Question. Do you know whether you are a resident of that district?
Answer. I do.
Question. What are the bounds of the district?
Answer. Seventeenth to Fourteenth street—Third avenue—I can't tell how far west it goes. I know I am on the border line of the district.
Question. Is that the same district where Mr. Jenny voted?
Answer. No, sir; he lives on the other side of Third avenue: I presume the division stops there; I have not made myself very well acquainted with it.
Question. Why did you claim to vote in the thirteenth district?
Answer. I didn't claim it.
Question. How could there be any dispute about it?
Answer. Mr. Jenny told me I had a right to vote there: Mr. Connolly said I hadn't; consequently there arose a dispute between the two.
Question. Did you ever hear such a pretence as that before—that a man could vote out of his district?
Answer. I am not aware that I did. I never had occasion to act in that way before.
Question. Did you hear the oath administered to voters any time during that day?
Answer. I did, sir.
Question. When the oath was administered, didn't he swear that he resided in that district?
Answer. Yes, sir; he was obliged to so swear.
Question. Is there any rule that an inspector's vote can't be challenged?
Answer. I don't know anything about it. I have never heard an inspector's vote challenged, sir.
Question. You know of no law by which an inspector can vote without challenge?
Answer. I have not heard of any—not of my own knowledge.
Question. How could an inspector, if challenged, take the oath if he was not a resident of the district?

Answer. I can't answer you that. There may be a regulation by which an inspector may get that right: the law may be so framed.

Question. Did you ever hear of any such thing before Mr. Jenny said it there that day?

Answer. I heard it spoken of two or three times before that day.

Question. That any man had a right to vote in a district where he didn't reside?

Answer. That an inspector had; yes.

Question. Did the person that said so tell you how he was going to take the oath if his vote was challenged?

Answer. The conversation didn't take a turn in that way. There was considerable talk about it during the time of the registry.

Question. Mr. Jenny wanted you to vote in that district?

Answer. Not particularly: he said he believed I had a right to vote there.

Question. Didn't he urge you to vote?

Answer. He did not.

Question. Where did he vote?

Answer. I don't know. I don't think he voted unless he voted there: he was not away during the day.

Question. How long have you known Mr. Irving?

Answer. I have been acquainted with his face and general appearance some time. I was not particularly acquainted with him until about one year prior to last December.

Question. Do you know him well?

Answer. I have been somewhat familiar with him—that is, in talking with him.

Question. Did you think it strange that he invited you to take a drink with him down in Tammany Hall?

Answer. Not a bit.

Question. How many times did you drink with him that day?

Answer. Once.

Question. Only once? Are you positive about that?

Answer. I am, sir.

Question. Are your principles and views about drinking and selling liquor the same as your colleague's—Mr. Jenny's?

Answer. I have not studied Mr. Jenny's doctrines.

Question. You heard his testimony. Do you concur in his opinions?

Answer. I do; a portion of them.

Question. Do you think it is suicide to take a drink?

Answer. I thought so last night when I put in my name to join a temperance society.

Question. Was that preparatory to this examination?

Answer. No, sir; it was in conformity with a promise made five months ago to a friend to do so.

Question. What was the necessity of making that promise?

Answer. I was requested in friendship to do so.

Question. Why did he request you to do so?

Answer. I have not consulted his views other than to fulfil my promise.

Question. Why should he ask you to make that promise?

Answer. I cannot say why I should look so deep into a man's motives. I might be a friend of Mr. Brooks once, and his enemy now. My motives once led me to be his friend. A man's motives may be entirely different from what any other person thinks.

Question. Were you in the habit of drinking so much that your friend thought it was necessary for you to take a pledge?

Answer. No, sir; inasmuch as my friend hadn't seen me for some years.

Question. What was the necessity of your joining the temperance society?
Answer. Nothing in particular.
Question. Have you been in the habit of drinking?
Answer. No, sir, not much; not more than I thought done me good.
Question. How many glasses a day do you think does you good?
Answer. Perhaps one; perhaps none at all; perhaps ten, as I feel like it.
Question. Do you think that ten glasses of spirituous liquors a day would do you good?
Answer. I think not, if I should be fool enough to drink it.
Question. Why did you speak of ten glasses a day?
Answer. Because I have a right to exercise my opinion in that matter.
Question. How many is the most glasses of spirituous liquors you have ever taken in one day?
Answer. I couldn't tell you. Not more than is usually taken after dinner, or in the morning, as you take it yourself, perhaps.
Question. How many do you think; do you ever take a dozen?
Answer. No, sir.
Question. Do you ever take ten?
Answer. No, sir.
Question. Well, eight?
Answer. No, sir.
Question. How was it on election day? Did you take any glasses on election day?
Answer. No, sir; I did'nt take any glasses.
Question. How many times did you drink spirituous liquors on election day?
Answer. About once, I suppose; not more.
Question. How came it you went out for oysters during the day?
Answer. I went out at the request of Mr. Connolly.
Question. Are you sure you took no more than that during the day?
Answer. I think so.
Question. Where did you do the drinking during election day?
Answer. Behind the ballot-boxes.
Question. Who treated you?
Answer. Mr. Connolly.
Question. Was it the day before the election you went down to see Mr. Jenny?
Answer. I am not positive whether it was the day before or not.
Question. Did you see him?
Answer. No, sir; I have never seen him until the morning of the election.
Question. What time did you get to the polls?
Answer. Ten minutes before it opened.
Question. What time did Mr. Jenny get there?
Answer. Before I got there.
Question. Did you speak to him as soon as you got there?
Answer. I did not, sir.
Question. How did you know him?
Answer. As he had the papers in his hand, I presumed he was one of the inspectors.
Question. Did you talk with Mr. Jenny before sunrise?
Answer. Of course I must, or the board could not have organized at sunrise.
Question. Did it organize at sunrise?
Answer. As near as possible to it; yes.
Question. When was it that he objected to you, that you were not rightly appointed?
Answer. At the time of my presenting my papers.
Question. How long was that before sunrise?

Answer. About eight or ten minutes from the time of my entering the place.

Question. Do you organize precisely at sunrise?

Answer. I believe so.

Question. Who were the policemen that were there that day?

Answer. I cannot give their names; I forget now. I know them all right; I don't know their names particularly.

Question. Do you know one of them by name?

Answer. Yes.

Question. What was it?

Answer. Yeagar was there.

Question. What was his first name?

Answer. John. Harris was there too.

Question. What was his first name?

Answer. I don't know it, sir; I can't call the others by name.

Question. How many policemen were there that day?

Answer. Seven or eight.

Question. At the corner of what street was this poll kept?

Answer. Twentieth street and First avenue.

Qustion. Do you know how much further it is to the Hoffman House than down to the police headquarters in Mulberry street from that poll?

Answer. Well, the police headquarters is the furthest.

Question. Are you sure?

Answer. I am, sir.

Question. How far is the Eighteenth ward station-house?

Answer. Twenty-second street, between the First and Second avenues.

Question. Don't you know that they have telegraphs there by which they communicate directly to headquarters?

Answer. I presume they have, sir.

Question. The Eighteenth ward station-house, then, was very near you?

Answer. It was near.

Question. If you had been in any danger of violence was it not easy to get assistance by sending to the Eighteenth ward station-house?

Answer. I presume it was, sir.

Question. Why did you not do it if you were in danger of violence?

Answer. It had all the appearance of danger, yet the police thought there was no danger. They said they would see to it. We were forced to rest satisfied with their answer to our application.

Question. They didn't undertake to keep you in the room?

Answer. No, sir.

Question. You could easily have walked out and went to the Eighteenth ward station-house?

Answer. I could, if my duties had permitted me I, suppose.

Question. What time did you vote?

Answer. About twenty minutes past two, in the afternoon.

Question. Couldn't you have stepped to the Eighteenth ward station-house without its being out of your way?

Answer. At that time there was necessity for it, because the brunt of the violence was over. I asked Mr. Jenny if it was necessary, and he said he will be forced to content himself with the police there; he didn't think they would interfere, with the police there.

Question. He didn't think it was important to get a stronger force there?

Answer. He requested a stronger force there.

Question. What did the officer say?

Answer. He would have it attended to. I believe there did come some more men there, but they looked so much alike that I could not tell.

Question. How many did you say there were at first?

Answer. Eight or nine. I couldn't tell exactly.

Question. There were some in the room all the while, were there not?

Answer. I seen the room on one occasion when there were none there but the men on duty at each door.

Question. How many persons were in the room then?

Answer. There may have been, I think, between fifteen and eighteen.

Question. Was there any disorder at that time?

Answer. Yes.

Question. Where were the other policemen; did you see them around the door, on the outside?

Answer. I couldn't see the outside from my position.

Question. Do you know of a single illegal vote being polled that day?

Answer. I know of several votes that I think are illegal.

Question. Was there one polled there that you knew was illegal?

Answer. I have seen several that I believe to be so.

Question. Why do you believe so?

Answer. Because there was no person representing that name having a right to vote in the district.

Question. How do you know that?

Answer. Because I was the enrolling officer of that district on two occasions; I am positive of it.

Question. What do you mean; enrolling them for the draft?

Answer. I presume so, for the provost marshal's office. I had a complete list of the entire district in my own house.

Question. How many of the other districts had you?

Answer. That and the fourteenth.

Question. When did you make the enrolment?

Answer. Last summer.

Question. Could not a man have moved into the district between the summer and November?

Answer. A few could have moved there without my knowledge.

Question. Did you go down there every day?

Answer. I did, sir, considerable.

Question. Where is you place of business?

Answer. Seventeenth street and Third avenue.

Question. Do you carry on business on your own account?

Answer. No, sir; I have done so.

Question. Did you work at your trade last fall?

Answer. I did occasionally; when I got work to do, I done it.

Question. Much of the time?

Answer. Sometimes I worked in the afternoon, sometimes I worked the whole day; depending on the fluctuation of work.

Question. How much did you work during the months of September and October at your trade?

Answer. A portion of each day.

Question. And did you go into that district a portion of each day?

Answer. Not quite.

Question. How many times each week, during the months of September and October, did you go around into that district?

Answer. I wouldn't swear positively that I didn't go into that district; I was there most every day.

Question. For what purpose did you go down into that district?

Answer. I knew that there were frauds going on, and I was bound to see what they were.

Question. Frauds about what?

Answer. Election purposes.

Question. How could frauds about election purposes have gone on there in the month of September; what frauds could have gone on there about election purposes at that time?

Answer, (examining papers.) I know a person that in the month of September purported to have lived there on the day of election, that was in the country at the time of the registry, came back, and has since died; that man didn't vote on the 8th of November. I know another person named Alexander B. Gibbon.

Question. I want to know what fraud there was perpetrated there in the month of September?

Answer. I heard it several times spoken of previous to the election that they were going to elect George B.

Question. Was that fraudulent?

Answer. They said they would either vote him in or fight him in; I believed it was intended a fraud should be perpetrated.

Question. You said frauds were being perpetrated in the month of September?

Answer. I told you my belief of that, sir.

Question. Do you say so now, or do you not say so?

Answer. I believe frauds were about to be perpetrated.

Question. Do you believe frauds were being perpetrated in the month of September?

Answer. There could not be, inasmuch as there was not an election at that time.

Question. Was the board of registry in session at that time?

Answer. No, sir.

Question. What fraud could there have been in the month of September?

Answer. There was a disposition and intention, if possible, to commit frauds.

Question. Now, was it their intention to commit those frauds in the month of September, or at the election?

Answer. It was intended to be at the election.

Question. Who do you say intended to commit those frauds?

Answer. Several parties; you had a witness here the other night would have given you the name of a fraud committed on the day of election.

Question. I ask you now to name the persons who intended, in the month of September last, in the thirteenth district of the Eighteenth ward, to commit frauds at the November election.

Answer. I told you, sir, the evident intention of committing frauds; I didn't say any person committed frauds.

Question. Who had the evident intention of committing frauds?

Answer. I don't see that I am compelled to answer that question.

Question. Yes, you are.

Answer. Well, I have heard the language used at Mr. Hughes's, Mr. Looram's, and particularly in Robert McElvoy's; the language was passed in their houses.

Question. I don't ask you where you heard language passed, but I ask you who stated any intention to commit frauds?

Answer. You might as well ask me to photograph an entire crowd on the day of election as to do that.

Question. What is Hughes's first name?

Answer. I call him Mr. Hughes, generally.

Question. Where does he live?

Answer. He lives in Thirty-fourth street, 262, I think.

Question. Between what avenues?

Answer. First avenue and Avenue A.

Question. Where is Mr. Looram's place?

Answer. That is in the ninth district.

Question. That is not in that district.

Answer. No, sir; still, persons frequent there who live in the district.

Question. Where is Mr. McElvoy's?

Answer. Northeast corner of Eighteenth street and Avenue A.

Question. Who did you hear, at either of those places, avow an intention to commit frauds at the November election?

Answer. That question would be difficult for me to answer, for many of those people go by different names at different times.

Question. Give any of the names they went by at different times?

Answer. I cannot do so.

Question. How do you know they are called by different names at different times?

Answer. I have heard them called different names.

Question. What names did you hear them called by?

Answer. I do not remember.

Question. Was Mr. Looram engaged in those frauds?

Answer. No, sir, he was not; he was too much of a gentleman.

Question. Was McElvoy engaged in them?

Answer. I can't tell you; I have heard him use language that indicated that he intended to commit frauds.

Question. Did you ever hear him say that he intended to commit election frauds?

Answer. I have not so charged him.

Question. Do you say he did?

Answer. I didn't make any positive assertion of the kind.

Question. Give me, as near as you can, the language that he used?

Answer. I cannot do so, sir.

Question. How many days during the month of September do you think there were that you didn't go into the thirteenth district?

Answer. I don't think there were five.

Question. Where did you go when you went into the district?

Answer. Almost every house; in fact, every house, I may say, from one time to another.

Question. In the month of September?

Answer. Yes, sir.

Question. For what purpose did you go into each house?

Answer. Not an impertinent one, certainly.

(Question repeated.)

Answer. I made up my mind to see where the folks lived; a good many I was acquainted with.

Question. What did you want to see where they lived for?

Answer. That I might be prepared to see that frauds were not committed.

Question. What time of day did you go down there?

Answer. At a respectable hour.

Question. What do you call a respectable hour?

Answer. It was between sunrise and sunset; sometimes, probably, I might have delayed longer than sunset; I can't tell.

Question. You always went into the district before sunrise?

Answer. I havn't said so.

Question. Do you say so?

Answer. No, sir.

Question. Before sunset?

Answer. Oh, yes, as a general thing; I have often been there three or four times during the day, probably may have went there before sunset; I can't tell.

Question. During the course of the day did you find the men at home?

Answer. Sometimes; sometimes I seen them in the street.

Question. You say you went into every house: are not most of them tenement houses?

Answer. As a general thing.

Question. Did you go into each room in each house?

Answer. I did not make a regular practice of going in from one house to the other; I have been occasionally in; I will say that before September I was in almost every apartment in that district.

Question. How long did you stay in each apartment?

Answer. I have not made a memorandum of how long my business kept me there.

Question. How long do you suppose you stayed in any apartment on an average?

Answer. One, or two or three minutes, sufficient to discharge my business. Sometimes I might stop longer where I was acquainted.

Question. What was the business you had here?

Answer. I had some connexion with the enrolment a little while prior to that. Although the enrolment had stopped, still I kept it up myself for the purpose of seeing how many persons gave me false names I had known, at previous elections, persons who had been enrolled, and sought exemption on the ground of alienage; I was determined, if possible, they should not do so this time.

Question. Did you try to get volunteers or recruits?

Answer. No, sir; I don't think I ever asked a person to enlist knowingly; no person ever went into the army at my instigation.

Question. Who were you employed by—Captain Manierre?

Answer. I was employed by the board of enrolment during the time of enrolment.

Question. When was the enrolment finished?

Answer. I don't remember the date. About the beginning of September, somewheres along there.

Question. Did you make out your return?

Answer. I did, sir.

Question. When did you hand it in?

Answer. It was customary to hand it in every morning.

Question. After the month of September did you hand in additional returns?

Answer. No, sir; my labor was voluntarily done; I was doing it for another purpose.

Question. And you spent your time to go into that district at least between twenty-five or thirty days out of the month of September, voluntarily, without compensation, to go from apartment to apartment throughout the various tenement houses in the thirteenth district, as a general thing?

Answer. I did do so voluntarily, without compensation.

Question. How did that benefit the enrolment?

Answer. I did not speak of its benefiting the enrolment; I say it was to prevent frauds in the election matter.

Question. How did it prevent frauds in the election matter?

Answer. Because several persons have voted that have received exemption upon the grounds of alienage. Several persons have voted who have claimed alienage; otherwise, persons who have claimed to be aliens during this enrolment and voted.

Question. Did you receive any such votes on the day of election?

Answer. There is one person who voted on the day of election, I believe, was not entitled to vote; at least, taking his own language, he had no claim or right to vote.

Question. Why?

Answer. Because he claimed to be an alien.

Question. Did you allow him to vote?

Answer. I did not know at the time that he was the person. The crowd was so strong he had left the room before I seen who it was; he had hurried himself out. After the election he claimed he was not a citizen.

Question. Did you make any complaint against him for voting illegally?

Answer. It was my intention to do so.

Question. Why did you not do so?

Answer. I have sought proof other than his own admission, but I have not got any.

Question. If you had made a complaint against him, would not that make him say that he was a citizen?

Answer. I don't know that it would.

Question. Don't you think that his statement that he is not a citizen is sufficient for you to go and procure his examination?

Answer. I don't know that it would.

Question. If you had so much time during the month of September to go down there every day voluntarily, don't you think it would have been well to give a little time afterwards to have that man punished if he had voted illegally?

Answer. I have given a good deal of time since the election for the purpose of obtaining proof for that end, and I think I will be able to accomplish it; I have not got through yet.

Question. What is this man's name that you said claims that he is not a citizen?

Answer. Maurice Murphy.

Question. Where does he live?

Answer. Twentieth street.

Question. Whereabouts?

Answer. I don't remember the number distinctly now.

Question. Between what avenues?

Answer. Avenue A and First avenue. I think it is Twentieth or Twenty-first street. He lives in what they call "Battle Row," a celebrated establishment down there. I believe it is in Twenty-first street; but he is generally to be found in the thirteenth district, although he don't live there. I believe he voted in our district. I intended to catch him, and have been watching for it. That is the reason I have given so much time. I knew the voice on election day, but could not possibly see the person for the crowd. I identified him by his voice that he voted there, and I have been following him up for the purpose of catching him.

Question. Is his name on the poll list?

Answer. I don't know; I haven't examined it.

Question. Do you know that he voted there?

Answer. I don't give my positive knowledge that he did.

Question. You was inspector there?

Answer. I was.

Question. Will you swear that you saw him in the poll-room?

Answer. I saw him in the line of voters, and in the poll-room; I swear that positively.

Question. Who kept the registers?

Answer. I kept one of them, and John Connolly kept one.

Question. Did you allow any voter to go in whose name was not on your poll-list, except those that were approved according to law?

Answer. I did not to my knowledge.

Question. Did you find the name of Morris Murphy?

Answer. It might or may not have been. The tumult was so great that it

was impossible for a man to keep his senses together—hooting and shouting, calling on Mr. Brooks and Mr. McClellan, and different other parties.

Question. Is that a crime?

Answer. I should think it was something of a crime just then.

Question. It is not a crime for people to be hilarious, is it?

Answer. There is a difference between hilariousness and blackguardism.

Question. Do you think it is criminal for a man to be vulgar? It may be unfortunate, but is it criminal?

Answer. It is always a crime to be vulgar.

Answer. Do you consider a man is necessarily a criminal that is vulgar?

Answer. It may not be a crime if a man repeats vulgarity in testimony, as I have done; but if he is vulgar in himself or his habits, by his disposition, I think that is a crime, and a gross one.

Question. Don't you know that a man can be vulgar without being obscene or profane?

Answer. That is another way of putting the question.

Question. I ask you that?

Answer. A man may be vulgar without being obscene or profane.

Question. Is it a crime, then, to be vulgar?

Answer. It is always a crime to be vulgar, unless in cases that a man must stoop to be vulgar, where it is necessary for a man, the same as you are doing with me now, leading me from one thing to another.

Question. Suppose a man has never had an education; that he has been so situated that he has imbibed vulgarity?

Answer. Vulgarity, in my opinion, does not necessarily imply that a man should be educated. A man may be ignorant and yet have no vulgarity; he may not know the first letter in the alphabet. I know one gentleman; I have never heard him use a vulgar word in my life; and the other day he had a paper, and he had the lines lengthwise instead of before him. He is not vulgar in himself, although not educated.

Question. You are not able to swear that this Morris Murphy voted?

Answer. I believe that he has voted; I will swear to the best of my knowledge and belief that he has deposited an illegal vote at that election in the thirteenth district.

Question. Who did he vote for?

Answer. I didn't open his ballot.

Question. Who did he vote for for Congress?

Answer. I believe he voted for Brooks.

Question. Do you know?

Answer. He has told me since the election that he has voted for Brooks, although he didn't admit that he did vote there; I have tried to get it out of him.

Question. Was James Irving a Brooks man or a Barr man?

Answer. I have not made myself acquainted with his views.

Question. Did you have no conversation on that subject with him, when you drank with him at Tammany Hall?

Answer. No, sir; no conversation one way or the other.

Question. Didn't you hear him say anything on the subject of the election, as to how he should go?

Answer. I did not.

Question. Who was Mr. Owens for?

Answer. I don't know that I could mention that either. Several times they have been jesting me why I shouldn't vote for Mr. Barr, or work for Mr. Brooks; I told them I hadn't forgotten Gramercy Park; that is the reason why I couldn't vote either the Brooks or the Barr ticket. I leave them to their partisans.

Question. What do you mean by Gramercy Park?

Answer. I didn't think my conscience would allow me to vote for Mr. Brooks, or work for him, because he made a promise there entirely different to what he has done lately; and my opinion is that he is not sufficiently honest to receive my suffrage as a man for Congress.

Question. I can't find out what Gramercy Park means?

Answer. There was a meeting there some years ago.

Question. What sort of a meeting?

Answer. It was the time when the Native American party was got up; it was a meeting round the square.

Question. Whereabouts was it, outside of the Park?

Answer. Close by Calvary church.

Question. Was it in the Fourth avenue.

Answer. Gramercy Park is not on the Fourth avenue.

Question. Calvary church is, is it not?

Answer. I said close by Calvary church—right around there.

Question. On Twenty-first street?

Answer. Yes, sir.

Question. When was that?

Answer. I don't remember the date. I remember having a contract to fit up a masonic room corner of Thirteenth street and Broadway; it was in the summer, I remember, the time of the controversy between Archbishop Hughes and the Iron Heel, and the gentleman present (Mr. Brooks) pledged his honor on some matters, and he has since been recreant to it.

Question. I asked you what time it was?

Answer. I can't give you the date; it was in summer. I was pretty young at the time.

Question. How many years ago?

Answer. Six or seven or eight years. I have not made a memorandum of the date.

Question. And you swear that Mr. James Brooks was there?

Answer. He was in connexion with it, sir; from seeing his face, I believe he was there. I believe this was the one. He pledged his name for his brother; I believe he is the one.

Question. Do you know how many brothers there are in the family?

Answer. I don't know, but I don't believe there's two men of his face.

Question. Do you swear that Mr. James Brooks was there on that occasion?

Answer. I believe he was, sir.

Question. Don't you know?

Answer. I might know. I would want my supper presently, and yet be forced to do without it. I believe he was there, sir.

Question. What was he doing there?

Answer. He was speaking quite friendly; shaking hands with several persons.

Question. Was it a public meeting?

Answer. It partook somewhat of the character of a serenade.

Question. Was there a platform there?

Answer. No, sir; not that I seen.

Question. Where did he stand?

Answer. On a balcony, I believe, right by the edge of the door A stoop I believe it was.

Question. How many persons were there there?

Answer. Well, there was quite a crowd.

Question. Was it a public meeting?

Answer. It partook somewhat of a serenade party, sir.

Question. Who was serenaded?

Answer. Erastus Brooks.
Question. Were you one of the party that went up to give the serenade?
Answer. I was foolish enough to go up there.
Question. Did you belong to the party?
Answer. I didn t belong to any party at that time; I hadn't become a citizen.
Question. Were your feelings identified with any party?
Answer. My feelings, of course, were identified with friends who were there.
Question. Your political feelings?
Answer. No, sir; my friendly feelings.
Question. Were your opinions identified with those that were there?
Answer. No, sir; I had no opinions on the question at all—not distinctly
Question. Do you think it was as much as five years ago?
Answer. I can't give you the date.
Question. You think it was as much as eight?
Answer. I can't give you the date.
Question. You think it was a serenade to Erastus Brooks?
Answer. It partook something of that nature; I believe it was.
Question. You say you are confident there are but two Brookses?
Answer. I said there could not be two gentlemen so much alike as the gentleman I saw and the gentleman I see before me.
Question. Can you tell whose house it was?
Answer. I cannot, sir.
Question. Was it on the north or the west side of the Gramercy Park?
Answer. I believe it was on the north—not directly on the north side.
Question. Did the person who was serenaded live in a house at that place?
Answer. I presume he did.
Question. Do you say it was Erastus Brooks that was to be serenaded?
Answer. It was, sir.
Question. Can you not remember anything whatever by which this date can be identified in some way or another?
Answer. If you desire to recall me at some time I will give you the date.
Adjourned to Monday, March 13, 1865, at 7 o'clock p. m.

MONDAY, *March* 13, 1865.

William D. Chase sworn. (Objected to. See page 4.)

Mr. PHELPS:

Question. Where do you reside?
Answer. 74 East Twenty-second street.
Question. Did you hold any office at the election in November last connected with the polling of the votes?
Answer. I was inspector in the fifteenth district of the Eighteenth ward.
Question. Were you appointed by the board of supervisors?
Answer. I was, sir.
Question. Sworn in by their clerk?
Answer. I was, sir.
Question. Where was the polling place of the fifteenth district of the Eighteenth ward?
Answer. Well, sir, I think it was in Fifteenth street, between avenue A and avenue B; I was never there before, and never have been there since; from my recollection, it was in Fifteenth street.
Question. Who was proprietor of the place?
Answer. I could not say, sir; I had heard that Mr. Thomson—a man named Thomson owned those premises; I merely heard him spoken of in that connexion.

Question. How did you know where to go to on the morning of election day to discharge your duties?

Answer. I ascertained by making inquiries of people in the neighborhood. I had heard that it was around there somewhere in that neighborhood. I tried to ascertain the night before, and I could find no one that could inform me. I consulted the papers of the day previous to the election. (Objected to.) I understood that the place hadn't been designated.

Question. When you received your appointment did they not tell you at what place you would officiate?

Answer. They did not, sir, except in the fifteenth district, and I was to find where that was.

Question. How happened it that the place was so little known? Was it a new district?

Answer. This was a new district, sir.

Question. From what old district was it set off?

Answer. The twelfth, sir, if I mistake not.

Question. Did you look in the papers to find the place?

Answer. I did, sir.

Question. Were you able to find it?

Answer. I was not.

Question. In what papers did you look?

Answer. If I recollect aright, the Tribune and Times. I am not certain whether I did the Herald or not; it strikes me that I did.

Question. Did you find the polling places of the other districts?

Answer. All of them.

Question. Was this particular district the only exception?

Answer. It was the only exception on the list that I consulted.

Question. How was it designated in the list that you saw?

Answer. It was not yet designated.

Question. How long was this before election day that you looked?

Answer. The day before, sir.

Question. Did you inquire of more than one person to ascertain the place?

Answer. Several.

Question. Did they know nothing about the whereabouts?

Answer. None could tell me, only that it was down by Fourteenth street and avenue B, and some said in avenue B. I heard that it was in Fourteenth street, and I heard that it was in avenue B.

Question. Did it not occur to you to inquire of one of the registers who must have sat there before?

Answer. I think I inquired of Mr. Hall, who was one of the registers.

Question. Do you remember what answer he made?

Answer. I think he told me at the corner of Fifteenth street and avenue B.

Question. You said you inquired the night before, and had consulted the papers: how did you find it the next morning?

Answer. I went bearing in mind the location at the corner of Fifteenth street and avenue B, as Mr. Hall had given it to me. I went there directly, and ascertained there that it was up above, between avenue A and avenue B.

Question. Do you know where the place of registry was held in this district?

Answer. Not from my own knowledge, sir.

Question. Did you know from information and belief?

Answer. I have an impression; I don't know that I had previous to the election even an impression.

Question. As inspector you were obliged to look at the register. Did it strike you as regular?

Answer. There was nothing in the appearance to indicate any irregularity; I didn't examine it, excepting that I had to refer to it.

Question. What impression had you with reference to the number of names that were entered?

Answer. I thought it was exceedingly large.

Question. Why large?

Answer. I had understood that the old district had registered only some 700 or 800 names before the new one was set apart, and this register contained some 700, the new district having very nearly the number of names the whole district had before it was divided.

Question. Was this new district formed out of the old district?

Answer. It was, sir.

Question. Didn't include any other?

Answer. No, sir.

Question. Did you feel it to be your duty to take the votes of all that were offered, provided their names were upon this register that was furnished you?

Answer. Yes, sir; I believe I did. There were votes refused. I remember distinctly that I refused some votes on one ground, that of the name having been checked as having voted previously. There were several instances of it.

Question. You say the names of those offering to vote were checked. What would these check-marks indicate?

Answer. They would indicate that the person had voted previously on those names.

Question. Was the liquor shop of James Thomas open when you went to the polls?

Answer. I don't know Mr. Thomas's liquor shop, sir.

Question. Do you believe there were many illegal votes polled in that district?

Answer. Well, from my understanding that the number of votes polled largely exceeded what had been polled there before, and from the large number of names upon the registry, I think there were.

Question. Did you hear of any one else having difficulty in finding this polling place?

Answer. I think my colleague, Mr. Thomas J. Hall, (not the Mr. Hall to whom I referred before,) spoke of the same. He didn't arrive there until an hour after I did in the morning.

Question. Did you understand that this delay on his part was occasioned by difficulty in finding the polling place?

Answer. Not wholly, sir.

Question. In any respect?

Answer. I understood that he had some difficulty in finding the place.

Mr. WATERBURY:

Question. Where did you vote at the last election?

Answer. I voted in Nineteenth street, between Broadway and Fourth avenue.

Question. What district?

Answer. I think it was the third district, sir.

Question. Where were the polls of the fourteenth district held?

Answer. I don't know, sir.

Question. Where were the polls of the thirteenth district held?

Answer. I can't say.

Question. Where were the polls of the twelfth district held?

Answer. I don't know that I can inform you of that.

Question. Where were the polls of the eleventh district held?

Answer. I can't tell you, sir.

Question. Supposing you had voted in either of those districts, you would know where the polls were?

Answer. I presume so, sir.

Question. Is it any more strange that you shouldn't know where the polls of

the fifteenth district were held than it was that you didn't know where the polls were held in either of the four other districts that I have specified?

Answer. I presume, had I inquired of the same persons that I did about the fifteenth district, several of them could have told me.

Question. I ask you if it was any more strange, then, that you didn't know where it was held?

Answer. Under the circumstances, much more strange, I should think, sir.

Question. Why? Were you any better acquainted in the neighborhood of the fifteenth district than you were in the other four districts I have named?

Answer. No, sir; not at all. Oh! I beg your pardon; I don't know that I understand you.

Question. Do you think it is more strange that you didn't know where the polls were held in the fifteenth district than that you didn't know where the polls were held at either of the four districts I have mentioned?

Answer. I should say it would be very strange if I did know where it was in the fifteenth district, where nobody seemed to know.

Question. I ask you if it was more strange that you didn't know where they were held in that district than it was that you didn't know where they were held in the other four districts?

Answer. I don't know that I would take my oath about that.

Question. You are unable to answer the question.

Answer. I don't know that I could answer the question under oath.

Question. Do you know by whom the polling places were designated?

Answer. I understood they were designated by the board of supervisors.

Question. Supposing you were wrong—that it was the common council that designated them—which I believe to be the fact?

Answer. Then it would be the common council, and not the supervisors.

Question. Have you any doubt that if you had inquired at the clerk's office of the board or body by which the polls were designated you would have been able to have found out where they were to be held?

Answer. I did make inquiry there, sir.

Question. Where?

Answer. At the clerk's office of the board of supervisors.

Question. When?

Answer. The day before election, when I was sworn in.

Question. Who did you inquire of—the clerk before whom you were sworn in?

Answer. I think by Mr. Young, the clerk of the board.

Question. What did he tell you?

Answer. I can't tell precisely the language he used, excepting that I didn't go away any wiser than I came in regard to that. He was unable to tell me the location of the district.

Question. Would you expect Mr. Young to be able to tell you where the polls were held in each of the 223 districts in the city of New York?

Answer. Well, sir, I didn't think of the other districts; I only had the fifteenth district of the Eighteenth ward on my mind.

Question. Did he appear to be busy at the time you were asking him?

Answer. Yes; he had a great deal of business on hand; he had time to answer my question.

Question. Did you not know that at every election there is a little printed pamphlet issued containing the places at which the polls were held at the several districts of the city?

Answer. I have never seen one, and didn't know that there was. I have seen them printed in the papers.

Question. Then, I suppose, you made no effort to obtain a copy of such pamphlet?

Answer. I did not, sir.

Question. Did you make any inquiries at the office of the clerk of the common council?

Answer. I did not, to my recollection.

Question. Did you see printed maps of this election district?

Answer. No, sir, I did not.

Question. Did you anywhere see a notice posted as to where the polls were to be held in the fifteenth district?

Answer. I did not, sir.

Question. Do you know whether there were printed copies of the map of that district posted up?

Answer. I don't know that there was, sir.

Question. Who were the other inspectors?

Answer. Mr. Hall, of whom I spoke; and I can't recall the name of the other gentleman.

Question. What were their politics?

Answer. I don't know. I have my impression.

Question. What is your impression?

Answer. I think Mr. Hall was a Union man, and our colleague was a democrat.

Question. This Mr. Hall, is he the same one that you inquired of about the polling place?

Answer. No, sir; another gentleman of the same name.

Question. Is he a brother?

Answer. I don't know, sir.

Question. Can you tell me why you were appointed to go down into this district, so far from your residence, to hold the election?

Answer. I suppose it was the scarcity of material in that neighborhood.

Question. Among the Lincoln voters down there were there no persons competent to hold the election?

Answer. I am unable to say, sir.

Question. Did you never hear any reason stated for your being appointed to go down there to hold the election at any time, or in any place?

Answer. No more than it was desirable to have a Union inspector down there. I believe by the decision of the board of supervisors, or common council, which ever it may be—the board of supervisors, I believe—they designated two Union inspectors for that district, and one democrat.

Question. Were there no Union men residing in the district that could be made inspectors?

Answer. In regard to their capacity I am unable to say. The result of the election showed a great scarcity of material in proportion to the other side.

Question. Didn't they poll about one hundred Union votes there?

Answer. I think not, sir; I don't think it reached seventy.

Question. Do you think there were not two of those seventy competent to be inspectors of election?

Answer. I don't know but the seventy were much more competent than myself, sir.

Question. Were not the engineers and architects and other mechanics holding important positions in the gas-works, near there, men of intelligence? Did they not live in the district?

Answer. I am unable to say, sir.

Question. Did you allow any persons to vote whose names were not on the poll-list, except those who qualified themselves in the manner prescribed by law?

Answer. I don't recollect of any instance.

Question. You would have known it if it had been done?

Answer. I would have known it at the time; and I have no idea that I did. My intention was to see that every man qualified himself according to the statute.

Question. How long were you absent from the polls?

Answer. I was absent—well, I should say three quarters of an hour. It was some little distance from that place, between avenue A and avenue B, to Nineteenth street and Broadway.

Question. During the time you were away you don't know of the polling of a single illegal vote?

Answer. I don't know, sir, that there was an illegal vote passed.

Question. You said it was your duty to put in all the votes of every person whose name was on the poll-list who presented his vote?

Answer. I don't think I answered just that question.

Question. What did you answer?

Answer. I don't remember that question precisely. If the vote was challenged, and the challenge sustained, of course I shouldn't allow the vote.

Question. You were aware that votes could be challenged that were on the registry?

Answer. I was aware of that fact, sir.

Question. You were aware also of the fact, I suppose, that by taking the unusual course of appointing an inspector who was not a resident of the district, it was not possible for any inspector himself to challenge?

Answer. I was not aware of that, sir. I didn't challenge any one.

Question. Do you not know that no person can challenge but a voter in the district where a vote is challenged?

Answer. No, sir.

Question. That is the law.

Answer. Thank you.

Question. From what you said I supposed that the only reason why you did not challenge votes was that you were unable to challenge for that reason. I suppose from what I understand you now to say, that you did not challenge anybody because you did not see any evidence of fraud, but you thought it was your duty to challenge?

Answer. That may have been part of the reason.

Question. Just state what the real reason was.

Answer. Another reason was, I was satisfied that if there was any vehement opposition offered there would be a general row, which was not very agreeable to my feelings.

Question. Were there any policemen there?

Answer. Yes, sir.

Question. How many?

Answer. Well, quite a number.

Question. Was there any disturbance there?

Answer. No, sir, no outbreak; some blackguardism was indulged in, but nothing that I took any notice of.

Question. Did you doubt the capacity of the police that was there to preserve order?

Answer. I do not remember that I did.

Question. Why did you apprehend that if you challenged votes there would be an outbreak?

Answer. The presence of the police does not necessarily make a safeguard; I have seen outbreaks where there were policemen in abundance.

Question. Upon what were your apprehensions that there would be an outbreak founded?

Answer. Well, upon the apparent disposition and character of the men around there, and the expressions they used.

Question. Well, I suppose that you are not very much used to see meetings of men of that class?

Answer. Well, sir, I have seen them before.

Question. Exactly the same class?

Answer. Well, I think I may say that I met one of those same individuals under similar circumstances.

Question. One of what individuals?

Answer. One composing the crowd; that is to say, I think he had voted in a district where I was once election inspector.

Question. Was there any hurt done by his voting in a district previously?

Answer. Not at all, sir; I wished to say that I had seen a crowd composed in part, at least—to the extent of one individual—precisely the same.

Question. Then you had held an election in such a district before?

Answer. In a similar district, sir, where more people were congregated.

Question. Has not your experience, then, taught you that that class of people, though they may be at times a little noisy, are not very apt to carry their disturbance to the extent of violence?

Answer. I did not draw on my own past experience for the present apprehension, but from observation and hearsay from other quarters.

Question. Then your apprehensions as to the danger of an outbreak, I understand you, were in part founded upon what you had heard previously?

Answer. Yes, sir, in part.

Question. Is that not an impression prevalent in the city before the last general election, in regard to that election?

Answer. What, sir?

Question. That there was going to be disturbance all over the city.

Answer. I should think not, sir, immediately previous.

Question. Did you read in the republican papers that there was great danger of violence?

Answer. I do not remember that I did.

Question. Did not you hear that General Butler had come here to secure order and to quiet the apprehensions of the people?

Answer. I do not recollect, sir; I do not think I did read any paragraph to that effect in any papers that I could designate.

Question. Then what you heard before the election, with regard to the danger of violence on the day of election, I understand you, was confined solely to the fifteenth district?

Answer. I heard but very little about it—that there was likely to be an outbreak; I have heard that there was such apprehension, and that they had provided very extensively.

Question. Well, now, Mr. Chase, don't you think that the appointment of a gentleman residing outside of an election to hold an election within a district was calculated to offend the people residing in the district—even those who were of the same political faith with the gentleman appointed in that manner?

Answer. Not necessarily.

Question. You didn't think it was calculated to offend them?

Answer. It is the usual practice, if I mistake not, of both parties.

Question. Do you think it is the usual practice all over the city?

Answer. I don't think it is peculiar to either party, nor to any ward.

Question. You said that you voted in the third district of the Eighteenth ward; did you know the inspectors of that district?

Answer. I recollect Mr. Wetmore; I don't know that I remember any other now.

Question. Wasn't he a resident in the district of which he was inspector?

Answer. I don't know that he was; I presume that he was.

Question. Do you think they would appoint inspectors from avenue A or B, to go up to hold elections in Fifth avenue district?

Answer. I don't know that they would.

Question. Supposing they should appoint a couple of voters—republican voters—down from the fifteenth district to go up and hold the election in the

third district what do you think the people of the third district would say to that point of conducting the election?

Answer. I presume they would vote just as regularly, if they were competent to conduct their business, as if it was one from their own ward; I don't know as there is one man in ten that would think of asking the question.

Question. Do you think they would be satisfied?

Answer. I don't know why they shouldn't be; we are not sectional, you know.

Question. Supposing Captain Rynders was sent out to hold the election in your district; do you suppose the people in your district would be satisfied with it?

Answer. I don't know why they shouldn't be, judging from myself. Is he a resident of that ward?

Question. No, I suppose not.

Answer. Then, I suppose it would be against the law.

Question. Would you be willing, if it were not against the law?

Answer. Why should I not be? If he would take the vote that I preferred and deposit it in the ballot-box, what difference would it make to me?

Question. Don't you think it looks more respectful to the district to appoint residents than non-residents for the purpose?

Answer. I think that would depend much on the general usage, sir.

Question. Have you any idea as to the extent, more or less, to which this importation of inspectors was carried at the last election?

Answer. No, sir, I have not; I don't know to what extent.

Question. Have you ever been around this district, the fifteenth, either before or since you acted as inspector of election?

Answer. I may have passed through there; I have been down through the fourteenth district; I have never visited that district for any other purpose, that I recollect, excepting that; I don't know that I have been as far as the river.

Question. You have not been through the district regularly, then?

Answer. No, sir.

Question. You know that the gas-house is in the district, I suppose?

Answer. Now that I think of it, I think it is.

Question. There is a very large number of men employed there, is there not?

Answer. I don't know.

Question. Is not the gas-house below Seventeenth street?

Answer. There are two—one above Fourteenth street; that escaped my mind before.

Question. Well, you remember now that the gas-works are there?

Answer. I do; I recall the fact.

Question. Have you any idea as to the number of tenement houses in that district?

Answer. Not the least.

Question. Do you know the extent of the district?

Answer. The extent of the district is from Fourteenth to Seventeenth street, and from avenues A and B to the river.

Question. You have no idea as to the number of tenement houses?

Answer. No, sir.

Question. Then you haven't any idea of the number of voters living in tenement houses?

Answer. Nothing more than their coming out in large numbers.

Question. Is not avenue B along there built up on each side with five-story tenement houses?

Answer. I think it is, sir; it strikes me that one story is occupied by stores; I don't know about there being four or five stories; they are high buildings; I believe they are the same now as they were in the old district.

Question. You think that the number of votes polled was a great deal larger than usual?

Answer. I think it was, sir.

Question. Do you think it strange that at a presidential election, when there is a great deal of excitement, a much fuller vote should be brought out in such a district, among a people who do not read the newspapers, and who are only stirred up by the excitement that pervades the neighborhood, than there is at a comparatively unimportant election?

Answer. Well, at presidential election I should suppose probably there would be a larger vote than at any other election. I should expect that. I presume the vote cast to-morrow will be much smaller than the vote cast in November.

Question. Should you think it strange for a house fronting on the avenue, a tenement house, to poll 100 votes?

Answer. That depends upon how close you pack them.

Question. The way you usually pack them—four families on a floor, rear buildings and all.

Answer. I should think it was very remarkable for 100 voters to live in that place.

Question. At twenty-five families to a house?

Answer. You are better posted than I am, perhaps, but I should think that was unreasonably large.

Question. Don't you know that there has been a great increase of population in this city, and that the increased rates compel people to live more closely together than was the case a few years ago?

Answer. No, sir; I don't know that there has been a large increase in the city. I think quite probable that there is.

Question. Have you seen any statistics of the large number of men enrolled?

Answer. I believe it is admitted that the enrolment is very erroneous.

Question. You don't think the large enrolment indicates a large increase in the population of the city?

Answer. Not necessarily, sir.

Question. You spoke about the place for holding the polls—was it not the rear part of the corner building at the corner of Fifteenth street and avenue B where the polls were held?

Answer. I should say decidedly not.

Question. Was it 100 feet from avenue B.

Answer. I should think it was all of that. I shouldn't suppose that the premises had any connexion with the building at the corner; it might have had.

Question. Do you know or not whether it was the place at which the registry was held?

Answer. I heard that it was not, but I don't know. It seemed to have been fitted up for this special purpose; there was nothing in the apartment where the election was held to indicate for what purpose it was used.

Question. Well, you were appointed an inspector, you say, by the board of supervisors?

Answer. Yes, sir.

Question. You know how that body is composed, I suppose?

Answer. Yes, sir.

Question. An equal number of each political party?

Answer. I so understand it.

Question. Do you suppose that such a body would be likely to appoint an inspector for a new district which anybody who had any acquaintance with politics would know, of course, would give a large democratic majority, unless the district was irregularly constituted.

Answer. I can't say, sir.

Question. Do you suppose so?

Answer. I have no reason to suppose that they would intentionally perpetrate the fraud upon the freemen of New York.

Question. Was Mr. Hall appointed by the board of supervisors, or was he one of those appointed to fill a vacancy?

Answer. I think Mr. Hall was appointed to fill a vacancy. As to the other gentleman, I am unable to state now.

Question. I understand you that there was no actual violence at that poll?

Answer. I saw none.

Question. And you don't know of any illegal votes being polled in that district?

Answer. I couldn't swear that there was any illegal vote passed.

Question. You had nothing to do with the canvass, I suppose?

Answer. I did not.

Question. You said you thought the number of names on the registry was large. Are you aware of the fact that the law requires all the names on the poll-list of the previous year to be retained, and that such other names as are furnished should be added?

Answer. I am aware, sir, that the names from the poll-list used at the last preceding election should be retained.

Question. Whether they lived in the district or not?

Answer. Yes; but in regard to receiving all the names that are offered, I don't know that that is the fact.

Question. The names in the cases in which there is no reason to doubt the person offering is an elector of the district?

Answer. I understand that; yes, sir.

Question. How many names were there in that registry?

Answer. I think there were in the neighborhood of 700; I didn't count them; that is the report.

Question. You kept one of the registry lists on the day of election?

Answer. I did.

Question. Who was chairman?

Answer. I was.

Question. And checked one of the lists yourself?

Answer. I did.

Question. Who kept the other list—Mr. Hall or the democrat.

Answer. The other gentleman; I suppose he was a democrat.

Question. Were there any persons waiting to vote at the close of the polls?

Answer. Yes, sir.

Question. How many?

Answer. Well, I can't say; I suppose they would have voted all night if we had kept the polls open, likely enough.

Question. How many do you think were present when the polls closed waiting to vote?

Answer. Well, the line was full—had been from the morning; there had been no cessation during the day.

Question. Can you tell me what right you had to refuse to receive their votes?

Answer. Except that the sun went down, when I supposed that the polls had to be closed.

Question. Do you know of any law that requires the polls of election to be closed at sundown, when electors stand at the polls with votes in their hands waiting to deposit them?

Answer. I have never seen that part of the law referring to voters standing with votes in their hands; I have seen a law requiring the polls to be closed at sunset.

Question. Are you sure of that?
Answer. Yes, sir.
Question. Do you know what the provisions of the law are upon that subject?
Answer. I don't recall any of them now, sir.
Question. Can you say that there is any provision of the law which requires that the polls should be closed at sunset, or whether the provision is that they shall not be closed before sunset?
Answer. I should say that they should be closed at sunset.

Mr. PHELPS:

Question. Do you remember that Mr. Brooks's counsel asked you if you were not aware that there were printed notices issued from the office of the clerk of the common council, instructing parties where the various election polls would be held in the districts?
Answer. Pamphlets; yes, sir.
Question. I will show you such a pamphlet, issued by Mr. Valentine, the clerk of the common council, and ask you to look at the Eighteenth ward and see if the Fifteenth district is put down at all? (Book shown to witness.)
Answer. No, sir; it is not printed.
Question. In these instructions in regard to these polling places, does the Eighteenth ward end with the fourteenth district?
Answer. It does, sir.
Question. Do you conceive, then, that if you had obtained a copy of that pamphlet it would have assisted you in obtaining that information?
Answer. No, sir; unless from your notes in pencil in the margin.

WILLIAM D. CHASE.

Attest: JNO. R. BRADY, *J. C. P.*

William H. Hall sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 166 East Twenty-sixth street.
Question. What ward is that in?
Answer. The Eighteenth ward.
Question. Is it on the south or the north side of the street?
Answer. The lower side of the street.
Question. What is your business?
Answer. Carman.
Question. Had you anything to do with the last election in the fifteenth district of the Eighteenth ward?
Answer. Yes, sir; I was register there.
Question. Were you inspector of registry?
Answer. Yes; inspector of registry.
Question. Who were your associates?
Answer. James Dougherty and Thomas Cowen.
Question. Do you know where Mr. Cowen resides?
Answer. No, sir, I do not.
Question. How much of the time was Mr. Dougherty present?
Answer. Well, I believe he was there the first day.
Question. The first day of the first session, three weeks before?
Answer. Yes, sir.
Question. Was he there at all during the second session, the week before the election?
Answer. I don't think he was.

Question. Then he was only there, you think, one day in all?

Answer. I think so, sir.

Question. Do you know whether he was in or out of town during this time?

Answer. I heard he was in the country to work.

Question. Whereabouts did your registers sit?

Answer. In a little room off the bar-room, corner of Fifteenth street and avenue B.

Question. What was it, a liquor shop?

Answer. Yes, sir.

Question. Who kept it?

Answer. James Thompson.

Question. Where was this place?

Answer. Corner of Fifteenth street and avenue B.

Question. Do you remember when you met there first?

Answer. Yes, sir.

Question. When was it?

Answer. Well, it was three weeks previous to the election; I think it was the 15th we met the first, but I can't be sure.

Question. Well, what did you do there the first session?

Answer. We met, and adjourned to get the book.

Question. Did you get the book?

Answer. We had to get a book of the old district—the twelfth—to copy the names off for the fifteenth district.

Question. Did you get that book?

Answer. I believe the clerk did; I am not certain; either the clerk or Mr. Dougherty, I won't be sure; either one of them.

Question. Did you enter the names from that book into another one?

Answer. We entered the names that we thought lived in that district off the old book.

Question. Did you enter any other names?

Answer. We might, a few.

Question. Did Mr. Thompson give you any names to enter?

Answer. Yes, sir.

Question. What were they in, or on?

Answer. They were on a book, or in a book.

Question. What kind of a looking book was it?

Answer. A good-sized account-book.

Question. How many names would you think were on the book?

Answer. Well, I should judge—well, what names he gave us altogether judge over 200.

Question. Did you enter these names yourself upon the register, or give them over to the clerk?

Answer. Gave them over to the clerk.

Question. Do you know if he entered them?

Answer. Yes, sir.

Question. Did Jimmy Thompson get any other names than those that were in the book?

Answer. Yes; he gave us some names on papers.

Question. How many do you think there were on the papers?

Answer. I should judge over 200 names altogether.

Question. Did he give you more than one piece of paper with names upon it?

Answer. He might, one or two; or either one or two.

Question. You are sure he gave you one piece of paper aside from the book?

Answer. Yes, sir.

Question. On the Tuesday or Wednesday before election what part of the day were you present?

Answer. I was there till about 10 o'clock, when I left, and came back about 4.
Question. Why did you go away during these hours?
Answer. Because I had business to attend to down town.
Question. Did you leave that way both days?
Answer. Yes, sir.
Question. About what time did you say you returned?
Answer. About 4 o'clock.
Question. How long did you stay there then?
Answer. Staid till 9.
Question. When you were away who took charge of the registry?
Answer. I suppose the clerk and Mr. Cowen.
Question. Was Mr. Cowen there all day long, do you know?
Answer. Well, he was there at the same time when I was there; I don't know whether he was there all day long.
Question. Were you ever there alone?
Answer. Yes, sir.
Question. Did you take names when you were alone?
Answer. I took three or four names on a piece of paper and left them for the clerk.
Question. Do you know whether Mr. Cowen took any names when he was there?
Answer. I can't say, sir.
Question. Who acted as clerk?
Answer. Daniel Brady—no, Andrew Brady.
Question. Was Andrew appointed?
Answer. No, sir.
Question. Who was appointed?
Answer. Daniel Brady, the sworn clerk.
Question. Do you remember whether Andrew was sworn?
Answer. I think he was sworn, by the election book.
Question. Who was chairman of you three?
Answer. Dougherty.
Question. How many men came personally to get registered, do you suppose, during those two days—men that came themselves and wanted their own names put down?
Answer. Well, it's pretty hard to answer that; I couldn't tell.
Question. Were there many?
Answer. Oh, yes; a great many came there and asked if their names were registered, and referred to the list and saw that they were.
Question. Did any bring the names of their friends to have them put down?
Answer. Yes, sir; there was one man, I think, brought half a dozen.
Question. Were these names entered by you or by the clerk?
Answer. By the clerk.
Question. Did any man bring as many as that man that brought half a dozen?
Answer. I don't know. I can't tell. I was not there all the time.
Question. Six was the largest number?
Answer. I should judge about six.
Question. This Jimmy Thompson, is he a republican?
Answer. No, sir; he says not.
Question. Was any liquor sold there election day?
Answer. I was not there election day. I was there early in the morning. I delivered the election box for that district.
Question. Well, now, this place where the votes were polled, how far was it from the corner?
Answer. I don't know, sir, where the election was held. It was not open when I was there.

Question. Did this rum shop of Thompson's appear to have a back part to
Answer. I believe he had a stable in the rear; it looked like it.

Mr. WATERBURY:

Question. Mr. Hall, what are your politics?
Answer. Well, I vote the Union ticket, sir.
Question. What are Mr. Dougherty's politics?
Answer. He says he is a Union man.
Question. Then there were two Union inspectors of registry and one de crat?
Answer. Yes, sir.
Question. Who appoints the clerk?
Answer. The registers
Question. You appointed Mr. Daniel Brady?
Answer. Yes, sir.
Question. What's his politics?
Answer. I can't tell; I never saw him vote.
Question. How came you to appoint him?
Answer. Because we were acquainted with him.
Question. Who?
Answer. Mr. Dodge and myself.
Question. How long had you been acquainted with him?
Answer. Some year and a little over.
Question. Where does he hold an office?
Answer. I don't know that he holds any office.
Question. Is he not in the post office?
Answer. No, sir.
Question. Nor in the custom-house?
Answer. No, sir.
Question. Do you say that he is attached to neither department in this cit neither the post office nor the custom-house?
Answer. I don't know. He works with the United States weighers ro the docks.
Question. Then he is an assistant to the United States weighers round docks. Do they ever have democratic assistants?
Answer. I don't know I have heard of them.
Question. Do you know one?
Answer. I won't swear that they do, but I have heard that they do.
Question. What relation is Mr. Andrew Brady to Mr. Daniel Brady?
Answer. Brother, so they say.
Question. What are his politics?
Answer. I don't know, sir.
Question. Mr. Daniel Brady did not serve, you say?
Answer. No, sir.
Question. And Mr. Andrew Brady did serve?.
Answer. Yes.
Question. Did he serve with the consent of the inspectors of registry?
Answer. Yes, sir.
Question. Was not that an appointment—allowing him to serve?
Answer. I don't know. An appointment is a man generally sworn in, isn't
Question. Did you not say that Mr. Andrew Brady was sworn in?
Answer. No, sir; Daniel Brady.
Question. Was Andrew Brady sworn in?
Answer. No, sir.
Question. Never took any oath?
Answer. Not as I know of.

Question. Don't you know that if a board appointed to hold an election allow a person to act as their clerk, that that is an appointment as their clerk, the mere fact that they allow him to act?

Answer. No, sir.

Question. You don't know that?

Answer. No, sir.

Question. Do you mean to say that you allowed a person to act as clerk of that registry who had no right to act?

Answer. Well, we were satisfied to let him act so long as his brother allowed him to act.

(Question repeated.)

Answer. Yes, sir; we let him act.

Question. And you knew at the time that he had no right to act?

Answer. We did not know anything at all about it.

Question. Did you or did you not know that he had no right to act?

Answer. No, sir.

Question. Did you know that he had a right to act?

Answer. No, sir.

Question. What did you know?

Answer. Didn't know anything.

Question. Are you acquainted with the details or the provisions of the registry law?

Answer. Well, I am not personally acquainted with them, but I have read them over.

Question. Don't you know that it is a criminal offence for registers to violate their duty?

Answer. Yes, sir.

Question. Is it not a violation of duty, in your opinion, to allow an unauthorized person to act as clerk?

Answer. Well, I didn't think it was.

Question. Do you think the first session was held on the 15th?

Answer. Well, I think so. I am not sure.

Question. Were you present at the whole of that session?

Answer. No, sir.

Question. What time did the board commence on that day?

Answer. Well, I can't tell what time they commenced, because they were waiting for the books.

Question. What time did they meet together?

Answer. They met about half past 9.

Question. Who was there first?

Answer. I was.

Question. Who came next?

Answer. Dougherty.

Question. Who came next?

Answer. Cowen.

Question. Who acted as clerk?

Answer. They came with Mr. Dougherty.

Question. Who are "they?"

Answer. Dan. Brady.

Question. Was Andrew Brady there?

Answer. He came with him; yes, sir.

Question. How long did you stay there that day?

Answer. Well, I suppose between 10 and 11.

Question. What time did the board adjourn that day?

Answer. Well, I don't know; I didn't look at the clock.

Question. Did you go away and leave them there?

Answer. Yes, sir.
Question. Did you go back again?
Answer. I don't know whether I did or not.
Question. What hour did they meet the second day?
Answer. Nine o'clock.
Question. Were you there?
Answer. Yes, sir.
Question. Who else was there?
Answer. Mr. Cowen.
Question. Mr. Dougherty not there?
Answer. No, sir; I don't think he was.
Question. Was Mr. Brady there?
Answer. Yes, sir.
Question. Which one?
Answer. I think both of them.
Question. How long did the board continue in session?
Answer. They were there in session when I came back at 4 o'clock in the afternoon.
Question. You left the second day, then.
Answer. Yes.
Question. What time did you leave?
Answer. About 10 o'clock.
Question. Got back at 4 o'clock?
Answer. About 4.
Question. Who did you leave there?
Answer. Mr. Andrew Brady, I think.
Question. The third day, how was it?
Answer. I don't know.
Question. Were you there the third day?
Answer. I don't think I was.
Question. On the first day of the second session were you there?
Answer. I was. I generally left about 10 o'clock.
Question. Then came back about 4 o'clock in the afternoon?
Answer. Yes, or a little after, and stayed until six at night.
Question. How was the second session?
Answer. The same.
Question. Was Mr. Dougherty there at either of the two last sessions?
Answer. No, sir.
Question. Was Mr. Cowen there?
Answer. He was there, I won't be sure whether it was the first or second day, about half past seven; then went away and didn't come back again. He said he had a meeting that he was on—some nomination of some delegate—and he would not be back again.
Question. How was the second day of the second session?
Answer. I generally came there about 4 o'clock and stayed there until 9, all the time.
Question. Did you enter any names on the registry that you believed not to be names of legal voters in that district?
Answer. I can't tell; I can't answer that. I don't know the names of many in that district.
Question. Did you enter the name of any man, knowing him not to be a legal voter in that district?—any one that you knew was an illegal voter?
Answer. That's a question I can't answer, because I can't tell who the men were that lived in that district.
(Question repeated.)
Answer. Well, I don't think I did.

Question. At the close of the second session what did you do with the registry? First, I will ask you what you did with the registry at the close of the first day of the first session?

Answer. Well, we had one made out for the county clerk.

Question This is the first session I am speaking of.

Answer. Well, we had one made out for the county clerk and took it down there.

Question. Did you post one in a conspicuous place in the room in which the meeting was held?

Answer. Yes, sir; hung it up in the bar-room.

Question. After the final adjournment of the first session—the session of three days?

Answer. Yes, sir.

Question. Did you file the list in the office of the county clerk, too?

Answer. Yes, sir.

Question. Did you keep a third list yourself for use?

Answer. Well, I won't be sure; but I think I did.

Question. Didn't you have a list to use afterwards?

Answer. Of the first or the last session?

Question. After the close of the session of three days, didn't you file one list with the county clerk?

Answer. Yes, sir.

Question. Post another one up in the office?

Answer. Yes, sir.

Question. And have another, a third one, to use yourselves?

Answer. Yes, sir.

Question. You met on the Tuesday preceding the election?

Answer. Yes, sir.

Question. For the purpose of revising, completing, and collecting the registry lists?

Answer. Yes, sir.

Question. After you had finished those two days, and completed the registry, did you cause four copies to be made?

Answer. No; three copies, I think.

Question. Were there not four the last day?

Answer. I don't know.

Question. The first day, you certified them all to be correct, did you not?

Answer. Yes, sir.

Question. The three or four you made the last day—you certified them to be correct?

Answer. Yes, sir.

Question. You filed one in the office of the county clerk?

Answer. Yes, sir.

Question. Didn't you deliver one to each of the inspectors?

Answer. Mr. Cowen took one, and I took the other to deliver to the Union inspectors.

Question. So you only took two?

Answer. Well, he took one and I took the other.

Question. They were all certified to by the registers?

Answer. Yes, sir—certified by myself and Mr. Cowen.

Question. And by whom were they made out, those several copies?

Answer. Made out by Andrew J. Brady.

Question. All the copies?

Answer. Yes, sir.

Question. 166 East Twenty-sixth street—what election district is that in?

Answer. That is in the eleventh.

Question. How far is that from the fifteenth district—it is over half a mile, isn't it?

Answer. Yes, sir.

Question. Do you know why you were appointed to go down and make the registry there?

Answer. Yes, sir.

Question. Why?

Answer. Well, it would fetch in $50.

Question. Were there no persons residing in the district who were competent, on the republican side, to act?

Answer. We didn't know who lived in that district until we made out the new book.

Question. Couldn't you get the names from the old book?

Answer. I don't think they were made correct.

Question. You are a carman; where do you cart?

Answer. I cart in Exchange place.

Question. Are you a custom-house carman?

Answer. Sometimes.

Question. Don't you cart regularly for the custom-house?

Answer. No, sir.

Question. Have you any contracts?

Answer. No, sir.

Question. Have you had any?

Answer. No, sir.

Question. No contracts for carting anything else for the government?

Answer. I cart for the surveyor's office.

Question. Regularly?

Answer. Well, yes, when I have it to do.

Question. How long have you carted for the surveyor's office?

Answer. About three years.

Question. How much do you think that carting for the surveyor's office is worth to you a year?

Answer. I can't tell—never kept no account.

Question. A couple of thousand dollars a year?

Answer. Not quite.

Question. Are you a member of the republican organization?

Answer. I was, sir.

Question. Last year?

Answer. Yes, sir.

Question. Eighteenth ward?

Answer. Yes, sir.

Question. Did you belong to the central committee?

Answer. No, sir; I used to belong to the executive committee of the ward.

Question. Do you know who it was that handed in that list you said of half a dozen names?

Answer. I don't know him by sight. I knew his name, but I have forgotten it. The man is a German.

Mr. PHELPS:

Question. Were you, or were you not, aware of the fact that in order legally to be an inspector of registry you must reside in the district where you work?

Answer. Yes, sir.

Question. How happened you to take the position, not being a resident of the district?

Answer. They wanted me to go down there, I suppose, and I wanted to go somewhere.

Question. Do you know whether Mr. Cowen was a resident of the district?
Answer. No, sir.
Question. He was not?
Answer. No, sir.
Question. Do you know whether Mr. Dougherty was?
Answer. No, sir; he was not.

Mr. WATERBURY:

Question. Why did you say, in answer to a question by Mr. Phelps, that you did not know where Mr. Cowen resided?
Answer. I say I don't know where he resides; I know he don't reside in that district.
Question. If you don't know where he does reside, how do you know that he does not reside in that district?
Answer. Because his name is not on that district.
Question. Is that a proof that he does not reside there?
Answer. Yes, sir.
Question. That is the reason upon which you swear that he is not a resident of that district?
Answer. Yes, sir.
Question. And from that you swear that he is not a resident of that district?
Answer. To the best of my belief.
Question. I want to know by whom you were appointed register of that district?
Answer. I can't tell.
Question. Were you not appointed by the board of supervisors?
Answer. The supervisors? yes, sir.
Question. Was not Mr. Dougherty appointed by the board of supervisors?
Answer. I suppose so, sir.
Question. Does not the board of supervisors consist of six republicans and six democrats?
Answer. I believe so.
Question. Were you not recommended by the Union committee of the Eighteenth ward for that place?
Answer. Yes, sir.
Question. Through whose interest did you obtain this carting from the surveyor's office?
Answer. That's pretty hard to tell; I have a good many friends.
Question. Who do you think was most proficient in procuring that patronage for you?
Answer. Well, ex-Mayor Opdyke—a very good man.
Question. Who else?
Answer. James N. Thompson. I can name you over a hundred; do you want them all? Rufus F. Andrews, the gentleman who gave me the work.
Question. Do you think he was the most influential in getting it for you?
Answer. Yes, sir.

WM. H. HALL.

Attest: JOHN R. BRADY, *J. C. P.*

Joel Nelson sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 127 East Thirty-first street.

Question. Do you know that that is in the third district of the Twenty-first ward?

Answer. I so understood it to be.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where?

Answer. At the northeast corner of Second avenue and Thirty-first street.

Question. For whom?

Answer. William E. Dodge.

Question. How do you know that you voted for him?

Answer. I looked at my ticket and prepared it, and made a memorandum the night before for whom I intended to vote, and saw in the morning, before I went to the polls, that they were all right.

Question. That ticket that you examined and prepared; did you hand it to the inspector when you went to the box?

Answer. I must have done so, because I carried them in my pocket till I deposited them in the ballot-box.

Mr. WATERBURY:

Question. From the time that you examined them till the time you handed them to the inspectors, were they out of your possession?

Answer. No, sir.

Question. I mean out of your hand, or away from your person?

Answer. No, sir.

Question. Did you vote a full set of tickets?

Answer. Yes, sir.

Question. You are sure that the name of William E. Dodge was on your Congress ticket?

Answer. Yes, sir.

Question. Could you tell who you voted for for the other offices?

Answer. I suppose I could, from a memorandum I made the night previous to the election. About a week ago I had occasion to look for a scrap of paper to make some memorandum, and it was this identical memorandum I had made previous to the election; I have it in my pocket.

Question. How long have you lived in your present residence?

Answer. Two years next May.

Question. Born in this country?

Answer. Yes, sir.

Question. Did you have anything depending on the result of the last election?

Answer. No, sir; not even a pin's worth.

J. NELSON.

Attest: JOHN R. BRADY, *J. C. P.*

John R. Hargin recalled.

Mr. WATERBURY:

Question. I want you to tell me when this meeting was, in what you call Gramercy Park?

Answer. We went round a considerable portion of the park on that occasion.

Question. Who?

Answer. We; the parties I came with. I joined the crowd upon Twentieth street and Third avenue.

Question. I want to know when it was?

Answer. I am not prepared to give you the date, sir.

Question. Was it five years ago?

Answer. It probably was, sir.

Question. Was it six?

Answer. It might be more or less.

Question. Who else did you see there besides Mr. James Brooks?

Answer. I didn't say I saw James Brooks; I say I believe I saw him there. It was a man looking very like him, and I heard next day he was the one that was there.

Question. Who else was there?

Answer. A number of my personal friends.

Question. Who else spoke there?

Answer. I told you I couldn't photograph the faces. I only know I got some of the pamphlets that were published at the time; I burned them up a little while ago. I burned them up about the 20th day of April, two years ago; it will be two years ago this April.

Question. Do you remember anybody else that spoke there?

Answer. I can't. I might have remembered it if I thought I would ever have required to use it.

Question. Do you remember?

Answer. I do not, sir; not sufficient to swear by.

Question. When did you commence your employment under the provost marshal of this district?

Answer. Somewhere about May—along thereabout.

Question. When did you cease your employment?

Answer. I don't recollect when.

Question. About what time?

Answer. Back and forward, on getting towards September; but I was not directly employed there all that time.

Question. When do you say you commenced?

Answer. Somewhere about the latter part of May or June.

Question. Last May do you mean?

Answer. Yes.

Question. At what rate were you paid?

Answer. Three dollars a day, less the tax.

Question. Up to what time were you paid?

Answer. I can't tell you.

Question. As near as you can state?

Answer. I could not possibly state it, sir, upon oath.

Question. Were you paid any for the month of September?

Answer. I was paid money in the month of September.

Question. I ask you if you were paid anything for any time in the month of September?

Answer. No, I guess not.

Question. Then you were not paid after the 1st of September?

Answer. I was not paid there directly.

Question. How long since you worked at your business as an upholsterer?

Answer. About three hours.

Question. When was the last time before to-day that you have not worked at your trade on a day in which people usually work at their trades? When was the last day that you did not work at your trade? I don't mean Sundays and holidays.

Answer. It is some considerable time; I do less or more every day; it depends upon the custom I have.

Question. Have you worked more or less at your trade every day since the last November election, excepting Sundays and holidays?

Answer. I did unless otherwise engaged.

Question. In what way have you been otherwise engaged—in what business?

Answer. I had to do different things—attend to my family arrangements. I have had to do writing for myself, and I had to earn my living by laboring at my trade; other times I had to go and collect money owed me in different places.

Question. What are your usual hours of working at your trade?

Answer. I don't confine myself to any special hours, sir.

Question. Are you a journeyman?

Answer. I am, sir.

Question. Who do you work for?

Answer. Myself and my wife. If you ask me if I work for any special person, I work for my customers.

Question. You carry on business on your own account?

Answer. I do.

Question. Did you, during the months of September and October last?

Answer. I did, sir.

Question. You said that you were in the thirteenth district as many as twenty-five out of the thirty days of the month of September; do you adhere to that now?

Answer. I do, sir. Let me explain why: I go through it every day to see my mother; if I have other business to do, then I attend to it. I always made it a point to go to different parts of that district, when I was going there on some errand.

Question. Where does your mother live?

Answer. 408 Sixteenth street, between First avenue and avenue A.

Question. The district runs from the First avenue to the other, does it not?

Answer. Yes.

Question. Did you go to see your mother the other five days besides the twenty-five?

Answer. I go there every day—that is, unless my business don't compel me not to go there; I reserve those five days for that purpose.

Question. How many days in the month of September did you go into that district in which you went to one or more houses in the district other than the one in which your mother lived?

Answer. I have told you. On every occasion I have been there, I have been in different houses.

Question. How was it during the month of October?

Answer. Pretty much the same.

Question. You were there about twenty-five days in that month also?

Answer. Yes, sir.

Question. And went into different houses in the district?

Answer. Yes, sir.

Question. In this extensive visiting in the district, did you or did you not become well acquainted with the people in the district?

Answer. Pretty well, sir

Question. Did you or did you not become so well acquainted with the people in the district that you knew by sight, if not by name, almost all of the male inhabitants of the district?

Answer. I believe I did, pretty well.

Question. What time did you say you reached the polls on the morning of the election?

Answer. Ten minutes before the opening.

Question. You opened at sunrise?

Answer. Yes, sir.

Question. And you were absent from the poll-room twice?

Answer. Yes, sir.

Question. Did Mr. Jenny receive the votes as fast as he could take them?

Answer. I believe he did, sir, just as fast as they could be investigated at all times.

Question. Didn't you say that the crowd were rather noisy sometimes?

Answer. They were excessively so, sir.

Question. Was there any contention there between the inspectors, or any of them, and the people present?

Answer. Yes.

Question. How much time was sometimes taken up in these discussions?

Answer. There has been five, ten, or fifteen minutes at a time.

Question. Wouldn't the crowd then become very impatient and demand that the inspectors should go on and take their votes instead of wasting time in discussions?

Answer. Not in the way you put the question they didn't.

Question. Tell me in what way they did?

Answer. Mr. Connolly would get so boisterous, and would say that he would put the old gentleman out of the place and get somebody that would take the names.

Question. Was not a great deal of dissatisfaction shown at Mr. Jenny wasting fifteen minutes at a time in contention when the room was full of people wanting to vote?

Answer. There may have been dissatisfaction because of his taking time to investigate; still, he done his duty as fast as he possibly could have done it.

Question. Was it necessary to take fifteen minutes to investigate any case?

Answer. In some cases it was, sir; sometimes five votes would be polled in that time that were not distributed or interfered with at all.

Question. Do you think it was strange that the crowd should be dissatisfied and noisy and boisterous when time was wasted by the inspectors in that manner?

Answer. I didn't see any strangeness, from the motly appearance and general character of the crowd; I would expect it from their general conduct.

Question. Don't you think that inspectors might have been selected in that district who would have conducted the election more expeditiously and with less wrangling and contention with the voters present than those who were sent into that district to hold the election?

Answer. I have seen inspectors get along quicker, who at the same time didn't do their duty. I have seen inspectors get so sociable that finally they were obliged to stop taking votes that night.

Question. How many votes did the inspectors reject that day?

Answer. Close on to seventy-five, I suppose.

Question. For what reason did they reject them?

Answer. Some's names were not on the books, and a few came there who had checks over their names, and there was quite a number of soldiers' ballots rejected.

Question. Why did you reject the soldiers' votes?

Answer. Mr. Connolly and his friends outside wouldn't allow them to be polled there.

Question. Was Mr. Connolly more than one member of the board of inspectors?

Answer. The mob, as I explained before, was so boisterous that we couldn't help it; he would say they couldn't be received, and the mob would hurry the men away from the polls.

Question. Didn't you have the police there?

Answer. They didn't pay much attention to it.

Question. Do you say that they allowed any person to be shoved away from the polls?

Answer. I consider a person who takes hold of a man and pulls him away as

preventing him from voting. What is he going to do? The police didn't interfere because there was no breach of the peace.

Question. Then the men went away from the boxes with their own consent?

Answer. I say the men pulled them away from the boxes. They suffered themselves to be pulled away.

Question. Willingly?

Answer. Not quite willingly.

Question. Without resistance?

Answer. Not altogether without resistance, either.

Question. Where did you say this poll was, precisely?

Answer. East Twentieth street and First avenue.

Question. Between First avenue and avenue A?

Answer. No, sir; on the corner. The entrance to the poll is round the corner, between First avenue and avenue A; but, then, the entire bar-room seems to constitute the poll.

Question. Where did you say the Twenty-first ward station-house is?

Answer. Between First and Second avenues.

Question. Then the station-house was only about five hundred feet from the poll?

Answer. Further than that, I guess.

Question. There is about two hundred feet to a block, is there not?

Answer. More or less, sometimes.

Question. How far do you think it was?

Answer. I couldn't judge. It is more than four hundred feet.

Question. Do you think it was eight hundred?

Answer. No; I guess not.

Question. Did you, at any time during the day, send or go to that station-house for assistance to preserve order?

Answer. Since my examination, on Saturday, I have remembered I did send.

Question. Who did you send by?

Answer. I think one of the officers I spoke to.

Question. What did you ask him to do?

Answer. I asked him to tell the sergeant to send for more force.

Question. Who was it you told?

Answer. I can't tell you now.

Question. Was it one of the officers doing duty there?

Answer. Of course it was. Do you want to know the sergeant's name?

Question. Yes.

Answer. Sergeant Burton.

Question. You asked the policeman to ask Sergeant Burton to send for more force?

Answer. I sent him to the sergeant.

Question. Did the man go to the sergeant.

Answer. I presume so. The sergeant came there awhile afterwards.

Question. Did you have any difficulty after that?

Answer. Yes. Owens was ejected from the room then, and afterwards got in after the men had left.

Question. How many men were there on duty?

Answer. I couldn't tell how many there may have been on duty.

Question. What time was it that you sent to Sergeant Burton?

Answer. Between two and four o'clock in the afternoon.

Question. Why did you not send before that?

Answer. I doubted whether I had the authority to get the assistance to preserve order when there was a chairman there. I didn't think it was my duty to interfere with the duty of the chairman. It was his duty.

Question. Didn't the chairman send for policemen?

Answer. I don't know what he did.

Question. Were you not standing side by side there?

Answer. He might have done fifty things that I didn't know.

Question. Do you know what the chairman standing by your side did on that day of election.

Answer. He did his duty.

Question. Do you know the details of what he did during the day?

Answer. I do, some of them.

Question. Did you see him writing at any time?

Answer. I did, three or four times. I saw him write out an order of commitment for Mr. Connolly at one time.

Question. It was not executed?

Answer. I believe not, sir.

Question. What else did you see him write?

Answer. Several things.

Question. How long did it take to make out that order of commitment?

Answer. I didn't take the time.

Question. How long do you think; twenty minutes?

Answer. No, sir,

Question. Fifteen?

Answer. No, sir.

Question. How long was he talking about it before he threatened to make it out?

Answer. He threatened to do it several times if he didn't preserve decorum.

Question. How much time did he waste about talking about all these commitments and so on?

Answer. He didn't waste any.

Question. How much time was taken up in this business?

Answer. Just as much as Mr. Connolly's conduct required.

Question. Do you think that two hours were taken up?

Answer. No, sir.

Question. An hour and a half?

Answer. I couldn't tell you particularly; I didn't take the time.

Question. You said that there was one man that you thought voted there who was not entitled to vote?

Answer. Yes; there are votes registered upon the poll-list of persons who have no legal or individual residence in the district.

Question. What are their names?

Answer. One man's name is Hawley; another man's name is McGibney; he is not a citizen; another man's name is———

Question. Who is the man you mentioned at the last meeting?

Answer. Maurice Murphy. I said I believed he voted, but I was not positive whether he did or not. These others, there are votes registered against their names on the poll-lists, and they have got no residence in the district.

Question. Didn't you know that before the election?

Answer. No, sir, I did not.

Question. Your acquaintance with the district didn't inform you of what you say now before the election?

Answer. I did not. The man Hawley was in the country—came home a few days before the election.

Question. Did you make a complaint against McGibney?

Answer. I did not.

Question. Do you know whether he voted or didn't vote?

Answer. I believe I seen him in the room.

Question. Did you see anybody voting Hawley's name?

Answer. I did not, sir.

Question. Do you know that anybody voted in his name?
Answer. I believe there was.
Question. Do you know?
Answer. The poll-list returns it.
Question. Who was the other man?
Answer. Alexander D. McGibney.
Question. Does the poll-list return his name as voting?
Answer. Yes, sir.
Question. Does the poll list return Maurice Murphy's name as voting?
Answer. I didn't say it did.
Question. Who is the fourth?
Answer. It is 216 Seventeenth street. His name is Thomas ———. He told me he didn't vote, and there must be a trick somewhere.
Question. You say you have a pretty extensive acquaintance with the district?
Answer. Yes.
Question. Do you know all these men?
Answer. Yes; I can point you out all these men now.
Question. Did you know these four men—McGibney, Hawley, Murphy and Thomas ——— at the time of the election?
Answer. Yes; I knew four of them.
Question. And you didn't see either of them vote?
Answer. No.
Question. Did you see any man vote that day that you knew was not a voter?
Answer. I have seen those whom I believed were not voters, but their votes were sworn in by outsiders.
Question. I ask you if you saw any man vote that you knew was not a voter?
Answer. I say I saw men that I believed were not.
(Question repeated.)
Answer. I can't say I saw persons vote whom I knew were not citizens; but I did see persons vote who I believe were not voters.
Question. Did I understand you that after you had signed the poll-list that day, it was corrected and made to agree at the station-house, or somewhere else?
Answer. You understood me to use language similar to that. I say that, at four o'clock on the morning after the election, we had our work completed; none of our tallies agreed. There were somewhere about twenty-three soldiers' ballots lying on the table; the poll-list only accounted for six, and none of our tallies would balance. The two clerks could not balance one with the other, and they did not tally with the count of votes as counted; and it was proposed then to settle the matter by signing them in blank, and let the poll clerks take them home and regulate them; and all the books and papers had been gathered up. The other parties whom I have named came in to examine them, and said they were not right, and they must have a tally, and asked permission of the chairman to examine them; and when I saw the poll-list the next day, I saw there was trouble afloat. It was six o'clock in the morning when they finished them.
Question. When did you examine the poll-list?
Answer. I examined it after the December election; I had a copy of it.
Question. Thoroughly?
Answer. Yes.
Question. Were you register of that district?
Answer. I was.
Question. Were you register in November last?
Answer. I was.
Question. Did you register any person whom you knew not to be a voter?
Answer. I was forced at times to put down names that I did not wish to by

the pressure of the other inspector; and he and another man, a Mr. Van Pelt, took the privilege of coming and entering the names on that night when the book was hanging up in the bar-room.

Question. You are speaking of the November election?

Answer. Yes, sir.

Question. Who was the inspector of registry besides you?

Answer. James Owens and G. Joseph Ruck.

Question. He is a republican?

Answer. He is a Union man.

Question. And you and he were a majority of the board?

Answer. Yes.

Question. Did you and Mr. Ruck enter any names?

Answer. He entered no names—yes, he wrote three names.

Question. Did you register names whom you knew not to be voters?

Answer. I didn't register persons whom I didn't know to be voters; I registered persons whom I believed not to be voters.

Question. Why didn't you have them challenged?

Answer. They were challenged, and swore their votes in.

Question. Then you don't know that any person was registered who was not a voter—only believe so?

Answer. That's all, sir.

Question. Did you and Mr. Ruck certify the registry list?

Answer. We did, sir.

Question. And you are both republicans, or Union men, as you call it?

Answer. Yes, sir.

Question. Did you have a clerk of the board who was a Union man?

Answer. Yes, sir.

Question. Who was he?

Answer. Arthur Bassett.

Question. When you examined this poll-list, when you were making up the registry for the December election, did you see the name of any person whom you knew was not a legal voter in that district?

Answer. I seen a good many names that I didn't think was right, but couldn't get any proof against them to prove the contrary.

Question. Did you know the name of a single person whom you knew not to be a voter?

Answer. Yes.

Question. Any person whose name was on the list that you knew not to be a voter?

Answer. I told you this McGibney I knew was not a voter.

Question. Have you made any complaint against him?

Answer. No.

Question. Why didn't you?

Answer. Because I couldn't prove it positively against him.

Question. I want to know as to your knowledge?

Answer. My knowledge is that the poll-list is irregular.

Question. In what respect?

Answer. There is not the proper credit for soldiers' ballots.

Question. I am asking you about the names now. Do you remember one single name on that poll-list that you know not to be a legal voter?

Answer. I will show you the poll-list, if you press me much further on it. (Producing a book.) There's a man there—a man that was turned away and couldn't vote—James Bannan——

Question. He didn't vote?

Answer. He tried it. There's a Richard Kelly, Patrick Hart——

Question. Did Richard Kelly vote?

Answer. He did.
Question. Did Patrick Hart vote?
Answer. He did.
Question. Do you say that you know that neither of those were legal voters?
Answer. Those men, I believe, were not legal voters.
Question. But you don't know it?
Answer. I can't go against an oath.
Question. James Bannan—did he vote?
Answer. No, sir; he did not.
Question. Do you know a single person whose name is on the poll-list, and who voted, who was not a legal voter at that election?
Answer. I will not say that they were not legal voters; I will say, I don't believe they were legal voters.
Question. What time did you close the polls?
Answer. At sundown and five minutes.
Question. How many persons were waiting to vote?
Answer. A considerable number; I don't know the number.
Question. Fifty?
Answer. I can't say.
Question. Should you think there were fifty?
Answer. I gave you the number as near as I could give it. I suppose the reporter has got the notes. I don't remember now.
Question. Which ticket did you canvass first?
Answer. The presidential.
Question. When you finished the canvass of that ticket, did you find that there were more votes, or less, than there were names on the poll-list as voting in the presidential election?
Answer. The two clerks hadn't their tallies ready then; one was copying from the other, while the one was making out the blanks; so the tally was not given according to the poll-list then.
Question. When you finally settled on the number of ballots that there should be, was the number of presidential ballots polled greater or less than the proper number?
Answer. It was not examined to see correctly; they had to go over it a second time; it was not correct.
Question. How did you finally settle it?
Answer. I told you they settled it among themselves afterwards.
Question. Didn't you finish and announce the result of the presidential canvass before you went?
Answer. It was given, but not correctly.
The further examination of this witness was postponed.
Adjourned to Tuesday, March 14, 1865, at 7 o'clock p. m.

TUESDAY, *March* 14, 1865.

Edward C. Rushmore sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 135 East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. For whom?
Answer. Mr. Dodge.

Question. Where did you vote?
Answer. At the northeast corner of Second avenue and Thirty-first street.

Mr ANTHON:

Question. Where did you get the ticket that you voted?
Answer. I got them from the booth, sir.
Question. Did you read it before voting?
Answer. Yes, sir.
Question. You are certain that the ticket you read was the same that you deposited?
Answer. Yes, sir; I deposited it in five minutes after receiving it.
Question. Do you remember what name was on the ticket for member of Congress?
Answer. William E. Dodge. I think that was it.
Question. Were you a member of a republican organization of the ward?
Answer. No, sir.
Question. You had no bet on the result of the election?
Answer. None at all, sir.

E. C. RUSHMORE.

Attest: JOHN R. BRADY, *J. C. P.*

William Wood sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 128 East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did.
Question. Where?
Answer. On the corner of Second avenue and Thirty-first street.
Question. For whom?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Did you read your ticket before voting?
Answer. I did; never voted a ticket without reading it.
Question. You are sure that the ticket you read was the same one you deposited?
Answer. It was the same, sir.
Question. When did you read it?
Answer. Before going to the poll.
Question. How long before?
Answer. That morning.
Question. Did you take any other part in the election beside voting; did you belong to any republican organization or take any active part in the election?
Answer. I belong to no party.
Question. And you didn't electioneer in any way during that canvass?
Answer. Not at all.

WILLIAM WOOD.

Attest: JOHN R. BRADY, *J. C. P.*

William H. S. Wood sworn. (Objected to. See page 10.)

Mr PHELPS:

Question. Where do you live—with your father?
Answer I do.
Question. Did you vote on the 8th of November last for member of Congress?
Answer. I did.
Question. For whom?
Answer. William E. Dodge.
Question. Did you vote at the same time with your father?
Answer. I did.

Mr. ANTHON:

Question. Where did you get your ticket?
Answer. I got the ticket in the morning; they came from one of the booths.
Question. Did you read it?
Answer. I did.
Question. You are sure that the ticket you read was the same one you deposited.
Answer. I am.
Question. Had you any bet upon the election?
Answer. I hadn't.

WILLIAM H. S. WOOD.

Attest: JOHN R. BRADY, *J. C. P.*

William B. Putnam sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 153 East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last
Answer. I did, sir.
Question. Where?
Answer. At the northeast corner of Second avenue and Thirty-first street.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. How do you know that you voted for William E. Dodge?
Answer. Because I examined my ticket, and another package for Mr. Vieh, and handed them to him, and went right straight over to the polls and deposited them.
Question. Are you a member of any republican organization?
Answer. No, sir; a member of no political party.
Question. Had you taken any other active part than voting?
Answer. Nothing more than voting and going to my business.
Question. You had no bet on the event of the election or were interested in one?
Answer. Not at all, sir.

Mr. PHELPS:

Question. You handed tickets to Mr Vieh to vote for Mr. Dodge?
Answer. Yes, sir.
Question. Do you know where he resides?

Answer. He resides in the house with me.
Question. Did you give him the ticket having Mr. Dodge's name upon it?
Answer. I did, sir.
Question. Did you see him deposit it?
Answer. He went right in with me and deposited it then and there.

Mr. ANTHON:

Question. Could Mr. Vieh have changed his tickets during the time he had them?
Answer. Not at all, sir. He left Mr Hodge's, on the opposite corner, and went right across and deposited them. I examined both packages of tickets.
Question. So that you saw the ticket that Mr. Vieh voted without intermission from the time that you gave it to him to the time he deposited it?
Answer. Yes, sir.
Question. You can swear that?
Answer. Yes, sir.
Question. You don't think there was a moment of that whole time that you didn't see the ticket?
Answer. No, sir; for he carried it in his fingers from the time that I gave it him to the time he deposited it on the box.
Question. Did you watch his ticket and himself during all that time?
Answer. I didn't lose sight of him.
Question. How did it happen that you watched him so closely that you didn't lose sight of his ticket?
Answer. Because we were both together, and anxious to get to our business. We were together until he deposited his vote, and he, like myself, carried his ticket in his fingers. He was a little ahead of me.
Question. If he was standing in front of you how was it that you could see it?
Answer. I could see that he couldn't change it; he hadn't the power; he had no other tickets.
Question. Do you know that he had no other tickets?
Answer. I do know that, aside from the packet I gave him.
Question. You swear that he didn't have any in his pockets?
Answer. I know that he didn't.
Question. Do you swear it positively?
Answer. I swear it positively.
Question. What was your means of knowledge?
Answer. Because he never goes out of the house anywheres to get anything, and he never meddles in political affairs.
Question. What did he have in his pockets?
Answer. He had his pocket-book, his knife, &c.
Question. What sort of a pocket-book was it?
Answer. A portemonnaie, they generally term it.
Question. Just describe what sort of a portemonnaie it was.
Answer. Something similar to the one I carry myself, [exhibiting a small portemonnaie.]
Question. What sort of a knife did he have?
Answer. A pearl-handled knife.
Question. How much money did he have?
Answer. Well, I didn't open his pocket-book to see his money: he generally carries a few dollars in his pocket.
Question. Did he have nothing else in his pocket besides those articles?
Answer. Yes; he might have a few pennies; I think he did have a few pennies. He took everything out of his pocket that morning; he was hunting for a pencil.

Question. You saw all those things as distinctly as you saw his tickets, did you?

Answer. I said so.

Question. What pockét did he have all those things in?

Answer. Some in one, some in the other.

Question. Just describe in which pocket he had his pocket-book.

Answer. I can't tell you: I didn't see inside of his pocket. I see him take the things out of his pocket a few minutes before he went out of the house.

Question. Do you know what he left in his pockets before he went out of the house?

Answer. He pulled the pocket out.

Question. Which one was that?

Answer. I think it was the right-hand pocket.

Question. What did he have in his left-hand pocket?

Answer. He had taken out pretty much all that was in it, I suppose.

Question. What did he have on that occasion in his left-hand pocket?

Answer. I can't tell you, exactly, what he had in it; he had 'em all lying right out on the table.

Question. You don't know, then?

Answer. I don't know exactly what he took out. He didn't have a pack age of tickets there.

Question. How did you know?

Answer. Because I know he had no tickets only what I gave him.

Question. How do you know that?

Answer. Because I know he wouldn't take a package from any one else.

Question. That is the only way you know it?

Answer. I know he hadn't went anywheres to get a package; he hadn't went outside of the house.

Question. That is the only knowledge you have—that he didn't go anywhere?

Answer. I know he didn't go anywhere where he could get any tickets. I took both packages and examined them; tied them up again; took mine and gave him his'n; went right over to the polls and deposited them.

Question. How do you know what he had in his pockets at that time?

Answer. I told you what he had in his pockets at that time.

Question. How do you know what he had in his pockets?

Answer. How do I know? I don't know that I need to answer one question more than twenty times over.

Question. How do you know what he had?

Answer. Because I saw him take them out before he went out of the house.

Question. How do you know what he had left in it after he took them out? How do you know he took everything out?

Answer. I told you that he took everything out, hunting for his pencil.

Question. How do you know that he took everything out?

Answer. Because he laid them on the table, and I saw he had no pencil or anything else in his pocket.

Question. That is the reason, then, you know what he had in his pocket?

Answer. I suppose that is the reason.

Question. Do you know what he had in his vest pocket?

Answer. No, sir.

Question. How does it happen that you are so sure that he didn't have his tickets in his vest pocket?

Answer. I said I was sure he didn't have any tickets but what I gave him. I told you we went out of the house together and went and put the tickets in after I examined them.

Question. How do you know he didn't have any tickets the night before?

Answer. I knew he hadn't got none because he didn't go nowheres to get them. He didn't intend to vote; he had no interest in it one way nor the other about it; nor wouldn't have voted if I hadn't fairly compelled him to vote.

Question. Where is this Mr. Vieh?

Answer. Well, he is in the Bowery, down town, in a music store.

Question. He lives in the city of New York?

Answer. Yes, sir.

Question. Have you seen him since this contest commenced?

Answer. I see him every day.

Question. Do you know why he is not here now?

Answer. Because he is engaged in his business and cannot be here.

Question. Has he been engaged every night since this investigation commenced?

Answer. Yes, sir; he don't generally leave the store until about ten o'clock; Saturday night he is there until eleven o'clock.

Question. What number is that place in the Bowery where Mr. Vieh lives?

Answer. I think it is 208.

WM. B. PUTNAM.

Attest: JOHN R. BRADY, *J. C. P.*

Alva C. Dennis sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 234 East Thirty-second street.

Question. Do you know that that is in the third district of the Twenty-first ward?

Answer. Yes, sir.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. For whom?

Answer. Mr. Dodge.

Mr. ANTHON:

Question. Did you examine your ticket before voting?

Answer. Yes, sir.

Question. Are you a member of any republican organization in the ward?

Answer. No, sir.

Question. No bet upon the election?

Answer. No, sir; nothing to do with the election; I don't believe in it.

ALVA C. DENNIS.

Attest: JOHN R. BRADY. *J. C. P.*

Harrison Wilson sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 250 East Thirty-second street.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where?

Answer. Corner of Thirty-first street and Second avenue.

Question. For whom?
Answer. Mr. Dodge.

Mr. ANTHON:

Question. Where did you get your ticket?
Answer. Well, now, that I couldn't tell you: I got three or four out of the boxes, and different parties took the tickets.
Question. Do you know where you got your congressional ticket?
Answer. I got two or three sets at different places. I couldn't tell you which one I voted, or where the set came from.
Question. Did you read the ticket that you voted for Congress?
Answer. Yes, sir.
Question. You know that the ticket you read was the same you deposited?
Answer. Yes, sir; I do.
Question. What did you do with the other tickets that you had?
Answer. I picked out a set and voted it.
Question. Throw away the others?
Answer. I can't say whether I threw them away. I left them home, I believe.
Question. Didn't give them to any one else?
Answer. No, sir.
Question. Who requested you to be up here to-night?
Answer. Well, I can't tell you. There was a couple of gentlemen over at my house—one or two—so my folks stated, and gave notice. I don't know who they were.
Question. Have you attended any meetings in reference to this contested election?
Answer. No, sir; this is the first.
Question. Were you on duty on election day?
Answer. I was; yes, sir.
Question. Whereabouts?
Answer. In the Eighteenth ward.
Question. What election district?
Answer. I don't know; I am under the impression it is the eleventh—corner of Twenty-third street and First avenue.

HARRISON WILSON.

Attest: JOHN R. BRADY, *J. C. P.*

J. N. Havens sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 142 East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom?
Answer. William E. Dodge.

Mr. ANTHON:

Question. At whose request did you come here to-night?
Answer. Quite a number of parties requested me to come here to-night. The principal one, I believe, was Mr. Burchell, I think his name was.

Question. Do you belong to any republican organization?

Answer. That is a very difficult question for me to answer. I belong to a number of organizations; I can't tell you about their political affinities.

Question. Suppose you tell us what they are, and we will judge.

Answer. One is a military organization—the second company of the 7th regiment of the New York State militia.

Question. That is not a political organization, is it?

Answer. I don't know. You say you are to decide that.

Question. What else?

Answer. I belong to a club.

Question. Is it a political club?

Answer. The club's name is Sentinel. I think it is a social club; but they do frequently talk politics. Then I belong to a loyal league club.

Question. Anything worse than a loyal league club?

Answer. That is all I can tell you.

Question. Did you ever attend any meeting of any loyal league club at which this contest was talked over between Brooks and Dodge?

Answer. I have not.

Question. Did you ever bet on the election between Brooks and Dodge?

Answer. I never bet, sir.

Question. They do those things sometimes in loyal league clubs?

Answer. It is something I never heard of.

Question. Where did you get your ticket?

Answer. I believe it came from a package that was sent to the house.

Question. Do you remember reading it before you voted it?

Answer. I do.

Question. How long before you voted it?

Answer. The last time when I read it before I voted was when I was standing in the poll-building.

Question. Do you know of any money being spent to further the election of Mr. Dodge?

Answer. I do not.

J. N. HAVENS.

Attest: JOHN R. BRADY, *J. C. P.*

Hugh O'Reilly sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 350 East Thirty-second street.

Question. Where did you live on the 8th of November last?

Answer. There, sir.

Question. Has that house got any other number?

Answer. I can't say about any but that.

Question. It has not an old number?

Answer. No, only that number.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where did you vote—in the third district?

Answer. On the corner of Thirty-first street and Second avenue, at Fitz Simmons's.

Question. Did you vote the whole Union ticket?

Answer. Yes, sir.

Question. Who did you vote for for member of Congress?
Answer. William E. Dodge.

Mr. ANTHON:

Question. How do you know you voted the whole Union ticket?
Answer. I seen it; and I never had them mixed up at all. I had the Union ticket and his name particularly on it. I seen William E. Dodge on it.
Question. Did you read your ticket?
Answer. Yes, sir.
Question. Where were you when you read it?
Answer. Very convenient to where the polls were held.
Question. Do you remember the name of any other person that you voted for?
Answer. Not exactly. I know it was a Union ticket, and I seen his name on it.
Question. How do you happen to remember Mr. Dodge's name when you don't remember any other?
Answer. Well, I do. I maintain I do remember his name.
Question. How does it happen that you remember that?
Answer. A man may see some and not retain all. A man may read a book and observe some things in it, and not be able to remember the details of it all.
Question. Is there any especial reason why Mr. Dodge's name struck your attention?
Answer. Well, I seen his name on it.
Question. Answer my question, please.
Answer. Well, no. He being the Union ticket, I always voted the Union ticket.
Question. If you were told now that Mr. Manierre had been the republican candidate for Congress, wouldn't you think you had voted for him?
Answer. No, sir; if I was told any man was I wouldn't, because it would be an untruth for me.
Question. Don't you know that Mr. Manierre was a republican candidate at one time?
Answer. I know I voted for William E. Dodge; I know I voted the Union ticket.
Question. Do you remember or not that Mr. Manierre was a candidate for Congress?
Answer. I don't mind rightly. Many a thing I see and pass that I don't bear in mind; whereas many things I do.
Question. If you were told that Mr. Manierre was a candidate for Congress you wouldn't think you voted for him?
Answer. I wouldn't believe it from any person, unless I was confident of it.
Question. You are not a native-born citizen of the United States, are you?
Answer. No, sir; I was born in Ireland.
Question. How long have you lived here?
Answer. I came here in the year '48.
Question. When were you naturalized?
Answer. In the year '54, sir.
Question. Do you remember where?
Answer. Yes, sir, down in the city hall.
Question. You don't remember before what court it was?
Answer. The court of common pleas, I believe.

HUGH O'REILLY.

Attest: JOHN R. BRADY, *J. C. P.*

George Newschaffer sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 127 East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. At the corner of Thirty-first street and Second avenue.
Question. For whom?
Answer. For William E. Dodge.

Mr. ANTHON:

Question. How old are you?
Answer. Twentv-three years of age.
Question. Are you a native of the United States?
Answer. Yes, sir.
Question. Did you read the ticket you voted on that occasion?
Answer. I did, sir.
Question. When?
Answer. On the election day—on the morning of election.
Question. Do you remember what name you saw upon it?
Answer. I do.
Question. What was it?
Answer. William E. Dodge.
Question. Are you a member of any republican organization in the ward?
Answer. No, sir. I am a member of no political organization.
Question. Do you belong to any loyal league in the ward?
Answer. No, sir.
Question. Did you have anything to do with the election other than voting at it?
Answer. Nothing whatever.
Question. Did you have any bet on the election?
Answer. I did not.
Question. How long have you lived at 127 East Thirty-first street?
Answer. Eight years.

GEORGE NEWSCHAFFER.

Attest: JOHN R. BRADY, *J. C. P.*

F. Zittel sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 483 is the old number, 54 the new number, Second avenue.
Question. Did you vote for member of Congress on the 8th of November last
Answer. I did.
Question. For whom?
Answer. William E. Dodge.
Question. Where did you vote?
Answer. At the corner of Thirty-first street and Second avenue.

Mr. ANTHON:

Question. Did you examine your tickets before voting?
Answer. Yes, sir.

Question. Where did you get them?
Answer. I got 'em out of the box where they kept the tickets.
Question. Had you looked at them between that time and the time of voting them?
Answer. Yes, sir.
Question. Do you belong to any republican organization or loyal leagues of the ward?
Answer. No, sir.
Question. Was your vote challenged, or received without question?
Answer. No, sir; without any question. I voted in the district for the past five years, I guess it is.
Question. Did you do anything more on that day than merely to vote?
Answer. I gave a number of men tickets.
Question. How long were you at the polls?
Answer. I was just merely long enough to put in my vote, that's all.
Question. What time did you vote?
Answer. It was during the afternoon.
Question. About what time; about how long before the polls closed?
Answer. Two or three hours, I think, before the polls closed.

F. ZITTEL.

Attest: JOHN R. BRADY, *J. C. P.*

John A. Reiners sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 439 Third avenue.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes, sir.
Question. For whom?
Answer. William E. Dodge.
Question. Where?
Answer. Thirty-first street and Second avenue.

Mr. ANTHON:

Question. Where did you get your congressional ticket?
Answer. I got it on this side of the street, next to the corner of Thirty-first street, at one of those boxes, and I took them home and examined them, because I couldn't get into the line at first.
Question. What did you do with the ticket after you examined it?
Answer. I went out and voted it, sir.
Question. Did the ticket leave your possession between the time you examined it and the time you voted?
Answer. No, sir, it didn't.
Question. Are you a member of any republican organization in the ward?
Answer. No, sir, I am not.
Question. How long have you lived at 439 Third avenue?
Answer. Two years and a half.
Question. At whose request did you come here to-night?
Answer. Mr. Taylor requested me to come here.
Question. What Mr. Taylor?
Answer. He is here somewheres, I think; I don't see him here now.
Question. Was it Mr. Warren S. Taylor?
Answer. I don't know his other name. Taylor—that's all I know.

Question, Just describe his appearance as near as you can.

Answer. Well, he is a light-complexioned man, not very tall; he was here this minute.

JOHN A. REINERS.

Attest: JOHN R. BRADY, *J. C. P.*

Edward A. Coster sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 573 Second avenue.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. I did, sir.

Question. For whom?

Answer. William E. Dodge.

Question. Where?

Answer. On the corner of Thirty-first street and Second avenue.

Mr. ANTHON:

Question. Did you examine the ticket which you voted?

Answer. Yes, sir.

Question. Where did you get it?

Answer. I got it in a box on the opposite side of the way.

Question. When did you examine it?

Answer. On the morning I voted, just before I voted. I got my ticket, opened it and examined it.

Question. Do you remember the name of any other person that you voted for?

Answer. I remember the President and Vice-President; I don't know that I remember any other names. I voted the full republican ticket.

Question. Do you remember who you voted for for sheriff?

Answer. No, sir, I don't remember.

Question. Or for member of assembly?

Answer. No, sir, I don't wholly remember the names. I remember William E. Dodge because of there being three candidates.

Question. What three candidates?

Answer. Barr, Brooks, and Dodge.

Question. Were you a member of any republican organization?

Answer. No, sir.

Question. Would you remember your vote on any other election where there were three candidates, as distinctly as you would your vote in this instance?

Answer. I don't know; this is my first vote.

Question. You think you were a little more careful about it as being your first vote?

Answer. Yes, sir.

Question. There were three candidates for sheriff; do you remember who you voted for for sheriff?

Answer. No, sir.

Question. Was there anything that called your attention especially to the vote for Congress?

Answer. Merely attending the meetings and such things.

Question. Have you attended any meetings in reference to this contest?

Answer. No, sir.

Question. You took no active part in the election other than what you have mentioned?
Answer. No, sir.
Question. How old are you?
Answer. I was twenty-one in May, previous to the election.
Question. At whose request did you come here to-night?
Answer. A gentleman called and asked me to come.
Question. You don't know who he was?
Answer. I don't know who he was; no, sir.
Question Is he present to-night?
Answer. No, sir, I don't see him here. I hardly noticed him: it was night, and he called me from supper.
Question. You remember your vote for President and Vice-President: do you remember what that ticket was?
Answer. Yes, sir.
Question. What ticket was it?
Answer. Lincoln and Johnson.
Question. You remember seeing those names on it?
Answer. Yes, sir.
Question. Just let me ask you to describe the presidential ticket, please.
Answer. The names of the electors? I don't know the names of the electors; I could hardly remember that.

Mr. PHELPS:

Question. Did you purpose to give Mr. Anthon the impression that you saw the name of Mr. Lincoln on the ticket?
Answer. I don't remember the names of the electors. I know I was voting that ticket. I am sure I had the ticket.

E. A. COSTER.

Attest: JOHN R. BRADY, *J. C. P.*

John A. Hatt sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 230 East Thirty-second street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did.
Question. For whom did you vote?
Answer. William E. Dodge.

Mr. ANTHON:

Question. You live at 230 East Thirty-first street?
Answer. Thirty-second street. That is the new number. The old number was 136. It was re-numbered.
Question. Whereabouts is that? between what avenues?
Answer. Second and Third avenues, south side.
Question. Where did you get your ticket to vote?
Answer. I got it at the house, sir; it was left there.
Question. At your own house?
Answer. Yes, sir.
Question. Do you mean the ticket that you voted?
Answer. I do, sir.

Question. Did it leave your possession from the time you examined it until the time you voted it?

Answer. No, sir.

Question. How long have you voted from that number?

Answer. I hardly understand your question.

Question. How long have you voted from 230 East Thirty-second street?

Answer. Some elections I have skipped, and others I have attended to. I have lived there, I think it is three years. Formerly I lived in Thirty-fifth street, up on the hill there.

Question. Who brought you here to-night?

Answer. My legs brought me, I suppose.

Question. What gentleman brought you here, in this case?

Answer. I don't know his name, sir.

Question. Is he in the room?

Answer. I guess not, now.

Question. Was it not Mr. Burchell who brought you here?

Answer. I didn't know him before; I never saw him before. I was here last night. Father told me of this meeting and I thought I would come out.

JNO. A. HATT.

Attest: JNO. R. BRADY, *J. C. P.*

W. H. Fuller sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Did you hear me, as counsel for Mr. Dodge, call to the witness seat, some three minutes previous to this time, a man by the name of Hilliard?

Answer. Yes.

Question. Did you hear the counsel for Mr. Brooks refuse to allow me to examine him on the ground that the notice was insufficient?

Answer. I heard the counsel object to your examining him.

Question. Do you remember what his name was, as appearing upon the notice to Mr. Brooks, and what really was the name of Mr. Hilliard?

Answer. The name in the notice was D. B. Hilliard, and the witness's name was George D. Hilliard,

Question. Do you know, from the statements made here in court, whether this same Hilliard had been in the court-room before?

Answer. Statements were made that he had been in the court before.

Question. With the purpose of being examined, and his name was found incorrect?

Answer. I understood that he had been here before for the purpose, but was not presented as a witness.

Question. Did I, then, to avoid the inconvenience of examining this witness a second time, aloud, and before this court, request him to tell you where he resided?

Answer. You did.

Question. What answer did he make to that question?

Answer. 228 East Thirty-second street.

Question. Did I then ask him whether he voted for member of Congress on the 8th of November last?

Answer. You did.

Question. What answer did he make?

Answer. He said that he did.

Question. Did I ask him for whom he voted?

Answer. You did.

Question. What answer did he make to that?
Answer. William E. Dodge.
Question. Did I ask him how he knew he voted for William E. Dodge?
Answer. You did.
Question. What answer did he make?
Answer. That he read his ticket.
Question. The last night when you were present and your examination was taken, did there appear, under circumstances analogous, another witness whose name was not correctly noticed upon Mr. Brooks's list?
Answer. I so think.
Question. Do you remember what his name was?
Answer. No, I haven't his name.
Question. Do you remember where he resided?
Answer. He resided at 501, the old number, and the new number 565, Second avenue.
Question. You don't remember what the name was?
Answer. I haven't the most remote idea what his name was.

Mr. ANTHON:

Question. You are the same gentleman who swore with regard to the building of houses in the Eighteenth and Twenty-first wards, are you not?
Answer. I am.
Question. Are you as well posted up in regard to voters as you are in regard to houses?
Answer. I can't say, sir.
Question. Do you derive your information from the same sources as to houses and voters—that is, from the information of other people?
Answer. I don't know that I have any information in regard to the voters.
Question. What is your relation to Mr. Phelps, counsel for Mr. Dodge?
Answer. My business relation?
Question. Business or social?
Answer. I am his managing clerk; socially, he is my personal friend.
Question. Have you any personal knowledge as to whether the person on the stand was, in fact, a man named Hilliard, or not?
Answer. No personal knowledge.
Question. You don't know whether he is Mr. Hilliard or not?
Answer. I don't.
Question. Have you ever seen the person before?
Answer. I never saw him before.
Question. Never had any conversation with him in reference to his vote, except what took place in our presence within the last few moments?
Answer. That is all.
Question. Are you familiar with the proceedings which have been taken in this contested case?
Answer. I am not.
Question. Do you chance to know whether or not it was practicable to have noticed the examination of Mr. Hilliard for a subsequent day?
Answer. I don't.
Question. This nameless gentleman whom you have spoken of as having information with regard to his vote, was your information obtained in the same manner as that in regard to this one now?
Answer. Yes, sir; well, hardly in the same way; he told me personally, instead of making an open declaration; and at the time I wrote down his answer.
Question. In both instances your conversation was had for the purpose of making yourself a witness, was it not?
Answer. My conversation was had with him for the purpose of receiving in-

formation which he had to communicate; I supposed I would be a witness for the purpose of communicating that information.

Question. The information you obtained from the person called Hilliard was merely for the purpose of being a witness, was it not?

Answer. I so understood it.

Mr. PHELPS:

Question. You said that you had no personal knowledge that this man was Mr. Hilliard; didn't you hear him tell the judge, myself, and the other counsel, that his name was George D. Hilliard?

Answer. That is hearsay; I did hear him say so.

W. H. FULLER.

Attest: JNO. R. BRADY, *J. C. P.*

James Maxwell sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 151 East Thirty-first street.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. I did, sir.

Question. For whom did you vote?

Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you examine your tickets before voting?

Answer. I did, sir.

Question. Do you remember what name was on your congressional ticket?

Answer. Yes, sir.

Question. What was it?

Answer. William E. Dodge.

Question. Where did you get your ticket?

Answer. I procured it at one of the boxes.

Question. And read it on your way to the polls?

Answer. Yes, sir.

Question. Was that all you did in reference to the election, or did you do any election work?

Answer. Well, I remained around a little through the day.

Question. How long did you remain there?

Answer. Two or three hours.

Question. Were you connected with any of the republican organizations at that time?

Answer. Yes, sir.

Question. What one?

Answer. The Loyal League.

Question. Were you on any committee of that organization?

Answer. No, sir.

Question. Did you hold any office in reference to the election?

Answer. No, sir.

Question. Do you know of any money being spent for the purpose of Mr. Dodge's election?

Answer. I don't, sir; I received no money.

Question. Did you make any bets on the election?
Answer. No, sir, I didn't; I took great care to insure my vote and not bet.

JAMES MAXWELL.

Attest: JNO. R. BRADY, *J. C. P.*

Adjourned to Thursday, March 16, at 7 o'clock p. m.

THURSDAY, *March* 16, 1865.

Charles H. Rogers recalled

Mr. WATERBURY:

Question. I understood you that you lived in Twenty-eighth street—129, since last May?
Answer. Yes, sir.
Question. Where did you live previously?
Answer. In Eighty-fourth street.
Question. What part?
Answer. Between First and Second avenues.
Question. How long did you live there?
Answer. About a year.
Question. How long have you lived in the city?
Answer. Fourteen or fifteen years, about.
Question. Had you taken an active part in politics for many years?
Answer. A pretty active part for some years, and some years I didn't take much part.
Question. For several years last past?
Answer. Yes, for five or six years.
Question. Are you well acquainted with the provisions of the laws in relation to elections?
Answer. Not extraordinarily.
Question. Have you as much acquaintance with them as those men generally who take part in politics?
Answer. That I couldn't say; I read the law once in a while.
Question. State yourself, in your own language and way, how much acquaintance you have with the laws relating to elections in this city.
Answer. Well, no more than just reading the election laws from time to time, as I wanted to learn some point.
Question. Have you been in the habit of attending elections?
Answer. Considerable. I guess there hasn't been an election but what I have attended for the last six years.
Question. I mean more than to vote?
Answer. Yes.
Question. Have you been inspector of elections?
Answer. Never.
Question. Canvasser?
Answer. I have been canvasser.
Question. Have you been inspector?
Answer. Never was inspector.
Question. What was the first day that you attended the meeting of the registry last fall?
Answer. The first day of the session; I don't recollect the day of the month.
Question. What time in the day did you arrive there?
Answer. I should think between 9 and 10 o'clock.

Question. How long did you stay?
Answer. Till dinner-time.
Question. What do you call dinner-time?
Answer. I call dinner-time 12 o'clock—between 12 and 1 o'clock.
Question. How many of the registers were there there?
Answer. Two.
Question. When did you next attend?
Answer. Right after dinner.
Question. The same day?
Answer. Yes.
Question. How long did you stay?
Answer. I don't recollect that; I left there. I think that day I didn't leave until to go to tea, and I am not certain I went to tea until they got through. I think I did, however.
Question. Well, then, did you go the next day?
Answer. Yes, sir.
Question. What time did you arrive there?
Answer. About the same time, between 9 and 10 o'clock.
Question. How long did you stay?
Answer. Well, I believe that day I went away about 11 o'clock and went down to the shop.
Question. Did you come back?
Answer. I came back about dinner-time, I think, and got my dinner, and then went in again.
Question. Stayed how long?
Answer. Well, I stayed there perhaps an hour before I went away again; then I went down to the shop, come down, and was there through the evening.
Question. How long were you absent?
Answer. Likely perhaps between two or three hours altogether.
Question. Altogether that day?
Answer. Altogether that day. I don't recollect exactly how long, but not a great while.
Question. How many registers were there there that second day?
Answer. Two, part of the time, and part of the time only one.
Question. Did they hold three sessions at that time?
Answer. I believe not. At all events, I was there only two days.
Question. Did you go there at the second session?
Answer. I did.
Question. Were you there both days?
Answer. Both days.
Question. How much of the time were you there those two days?
Answer. Well, I was there as much on the first day as I was before; the other two days I couldn't say. I had a little business to attend to.
Question. I understand you to say that on the last day of the second session there were some persons came in and registered soldiers' votes?
Answer. One person came in.
Question. Did any person come in to register such votes on any day before that while you were there?
Answer. I don't recollect exactly, but I think there was one day; and it might have been that same day that a person came in there and registered one soldier's vote.
Question. That's all?
Answer. That's all that I recollect.
Question. Did you see anything about the registry that you thought irregular or wrong, except those two instances of registering soldiers' votes?
Answer. Yes, sir; I see men come in to have their names registered, and the

register to take them on a slip of paper, tell the man it was all right, and he would leave and not put them on the book at that time.

Question. Do you mean to say that they were not put upon the book at all?

Answer. I don't mean to say that they were not, because I don't know.

Question. Was there anything else?

Answer. I saw the clerk come in one night and the register gave him a list of names. (I think that was on the first night of the second session.) The clerk came in and Mr. MacDonald gave him some names on a slip of paper, and told him there were some names he had taken, but didn't put them on the book.

Question. Anything else?

Answer. I don't recollect anything else at the present time.

Question. Did you keep a list of those persons who came in and left their names, which were written on a piece of paper and not entered on the book at the time?

Answer. No, sir.

Question. You don't know their names?

Answer. No, sir.

Question. Did you ever know of any one's complaining that he had given his name in and it was not entered upon the books?

Answer. Yes, sir, on election day.

Question. Who complained?

Answer. I don't know their names; I don't recollect their names.

Question. Were they the same parties you saw leave their names?

Answer. There were two—one that I recognized more particularly, and one that I was quite sure that I recognized, but then I was not positive.

Question. What was his name?

Answer. His name I don't know; I cannot recollect names. If you would give me a name to-night, most likely I couldn't tell it to you in two hours.

Question. Are you sure that he was the man that you had seen in there about the registry?

Answer. I am quite positive, sir.

Question. Any one else that you recognized?

Answer. I say that there was another that I was quite sure, but I couldn't swear to it.

Question. More sure than you are of this one?

Answer. Less sure than I was of him.

Question. The list that Mr. MacDonald handed in, do I understand you to say that they were not taken by him?

Answer. No, I didn't say that; he might have taken them.

Question. Who took the names on these pieces of paper—persons who came in and wrote their names?

Answer. Mr. MacDonald took some of them, and the other register—his name I have forgot; he was rather a large man, florid complexion—I have forgot his name.

Question. Was he a democratic register, or a republican?

Answer. Democratic.

Question. Did the republican take any?

Answer. There was no republican register there. I didn't see any other at all.

Question. They two took all the names that were taken?

Answer. They took some, and while the clerk was there he took some names.

Question. You say one of these two men registered one soldier's vote?

Answer. Yes, sir; one.

Question. The other registered how many?

Answer. I think it was nine.

Question. Were there any soldiers' votes registered besides those?

Answer. I suppose there was, from the fact that on election day some envelopes came there, and they found the names on the list.

Question. That is all—only from that reason?

Answer. That's all, sir.

Question. You don't know whether those names were on the old poll-list or not?

Answer. No, sir.

Question. Do you know who it was that registered those nine votes?

Answer. Mr. MacDonald.

Question. Who brought them in?

Answer. I don't know the man's name; a man that I know by sight, but his name I don't know.

Question. Did you take a list of those votes?

Answer. Yes, sir.

Question. Have you heard people express at all at any time an apprehension about being drafted?

Answer. I have heard considerable many, sir—quite a number.

Question. Do you know whether or not there has been any anxiety on the part of persons in relation to giving their names at their places of residence, lest it should lead to their enrolment?

Answer. Not that I know of particularly. Parties have told me that they did so.

Question. You don't know whether people have been apprehensive on that point or not?

Answer. No; I have heard that when the enrolling officer has been along that they couldn't always get the names.

Question. Have you heard that people—especially laboring men—had fears when persons came to their houses—strangers—and inquired for them, lest they came for the purpose of taking their names for the enrolment?

Answer. Nothing particularly; I may have heard something of that kind, but nothing to charge my mind with.

Question. What is your impression—that there is anxiety on the part of laboring men or not in that respect, or that there has been?

Answer. I don't know that I have been very seriously impressed either way about that.

Question. Any impressions on the subject?

Answer. I don't think I have had any very serious impressions.

Question. Have you had any?

Answer. I don't know that I have had any.

Question. Then you haven't had any impression that people had an anxiety about it?

Answer. I have had no reason to have any such impressions.

Question. When you went to inquire about these votes, where did you get these names that were registered?

Answer. I have forgotten the number, but it is between the engine-house in Twenty-eighth street and Third avenue there—about half way between. I think it is 113 Twenty-eighth street, but I am not positive as to the number.

Question. Were they all at that place?

Answer. No, sir; that was one.

Question. Where else did you go?

Answer. I went to the blacksmith's shop here in Twenty-ninth street.

Question. Where else?

Answer. And I went to a house three or four doors east of that.

Question. Where else?

Answer. I went to Jackson's iron foundry. One number I think was a vacant lot on Twenty-ninth street.

Question. Where else?

Answer. I don't recollect particularly, now, of any other place that I went to.

Question. What were the names of the persons for whom you inquired at these several places?

Answer. I have forgotten the names.

Question. Can't you tell one name that you inquired for at any of these places?

Answer. No, sir.

Question. Of whom did you inquire?

Answer. I inquired in Twenty-ninth street of a lady that lived in the house.

Question. How did you know she lived in the house?

Answer. Well, she come out of the room with a utensil—a pail. I supposed likely she had been using that.

Question. Of whom else did you inquire?

Answer. Of a gentleman who had some kind of a place in Twenty-ninth street—a store.

Question. What was his name?

Answer. I don't know.

Question. Do you know how many families live in that house?

Answer. No, sir.

Question. Did you inquire at every room of every floor?

Answer. No, sir.

Question. Did you inquire at every room on every floor in any of the places you went to?

Answer. No, sir.

Question Who is this man that you say entered some names after the board adjourned—that you saw once or twice—that some one told you was clerk of the board?

Answer. I think they said his name was Pickett.

Question. Was he the one that you spoke of a few minutes ago as the clerk who took the names?

Answer. Yes, sir.

Question. You saw no other person acting as clerk?

Answer. No, sir.

Question. And you don't know but what he was clerk?

Answer. No, sir.

Question. Was it Pickett, or Rickett?

Answer. I think it was Rickett.

Question. Was Mr. Reilly the name of the other democratic register there?

Answer. I think it was. I was going to say Reilly when I spoke of it.

Question. You didn't see Mr. Duncan, the republican register, there at any time?

Answer. No, sir.

Question. Did you take the name of the one soldier's vote that was registered by another man?

Answer. No, sir.

Question. Did you attend the election on the day of election?

Answer. I did.

Question. How long were you at the polls?

Answer. Pretty much all day.

Question. Were you there when the soldiers' votes were voted—any of these nine votes?

Answer. No, sir; I happened to be out when this man came in; I know of their coming in; I asked Mr. Walker if they had been there, and he said yes.

Question. Was there a republican challenger there?

Answer. I guess Mr. Walker challenged all that was challenged.

Question. Is he a republican?

Answer. Well, he was appointed as a republican inspector, I believe. I

don't recollect that he challenged any one; when they came up he asked them questions.

Question. Did you leave these names with him in order that he might chal lenge them?

Answer. I think I gave him the names.

Question. Did he challenge them?

Answer. I don't know. I think they came in while I was gone to dinner.

Question. Do you know whether he challenged them or not?

Answer. I do not.

Question. Have you stated now all the irregularities you saw in regard to the making of that registry?

Answer. All that I recollect particularly, just at this moment.

Question. Did you ever examine the registry list after it was made out?

Answer. No, sir.

Question. Do you know whether these names that were on the list that the clerk produced were taken, or not, from people who came up?

Answer. No, sir; I don't know where he got 'em.

Question. Did you not know that they were taken from persons that came up and were registered?

Answer. No, sir.

Question. You said that you wanted to get a list of those names that were put down, for the purpose of attending to them on election day, on your direct examination?

Answer. I did, sir.

Question. If you wanted to take the names for that purpose, why did you not go and examine the registry after it was completed?

Answer. I went to examine it, but couldn't get the books.

Question. Where did you go?

Answer. I went to the place of registry.

Question. I understand you that you gave these nine names to Mr. Gideon L. Walker, the republican inspector?

Answer. I think I did.

Question. And did you tell him the objection that you had to them?

Answer. I did.

Question. Do you belong to the republican organization in this ward?

Answer. I don't exactly know now of any organization in this ward of that name.

Question. You belong to the Union organization?

Answer. I do, sir, unless they have expelled me lately.

Question. What is the form of the association? Is it an association?

Answer. Yes, sir.

Question. Is there a ward committee?

Answer. I don't know that there has been any committee appointed yet.

Question. Did you belong to the Union, or republican, organization last fall?

Answer. I belonged to a Union association last fall, sir.

Question. Was there a Union committee also—a ward committee?

Answer. I think there was, sir.

Question. Did you belong to that committee?

Answer. I did not, sir.

Question. Were there any committees of the association?

Answer. I think there was.

Question. Was there an executive committee?

Answer. I believe so.

Question. Did you belong to that committee?

Answer. No, sir.

Question. Of whom did it consist?

Answer. I can't tell you all of them.

Question. Tell me as many as you can.

Answer. I believe John White was one, and——

Question. John W. White?

Answer. Yes, sir; and I believe Judge Kelley was one. (I am merely telling from what I believe—from what I saw.) I think Judge Kelley was one, and D. T. Marshall was one.

Question. D. T. G. Marshall?

Answer. I believe so; and I don't think I recollect any others; there was a number of them.

Question. Was there a finance committee?

Answer. I think there was.

Question. Did you belong to it?

Answer. No, sir.

Question. Who were on it, as near as you can recollect?

Answer. I don't recollect anything about it; it might have been these names that were on the finance committee as well as on the executive committee.

Question. Didn't I understand you the other day that you held some office?

Answer. You might, though I didn't say so.

Question. I understood you to say that the reason you couldn't come here was that you couldn't leave your office.

Answer. I didn't say that I held any office.

Question. Do you hold any?

Answer. I think I do.

Question. How long have you held it?

Answer. A little over three years.

Question. What is the office?

Answer. Night inspector.

Question. Have you held any other office within the three years than that?

Answer. I believe not.

Question. Through what influence were you appointed to that office?

Answer. That is more than I can tell.

Question. Don't you know who supported your application?

Answer. No, sir.

Question. It came unsought, unsolicited, and unexpectedly?

Answer. All I can say about it is that business was dull, and I thought if there was any office that would pay a little, I would like it; and I got up a petition, got a few names on it, and put it in the fire. In September I got notice that I was wanted down in Pine street, and I went down.

Question. Then you don't recollect any particular influence by which you were appointed?

Answer. No, sir; I don't know any man that went there at all. There were men that I supposed said something about it, but then I don't know whether they did or not.

Question. Did I understand you that you looked for the registry list at the poll-room after the close of the first day, or after the close of the last session?

Answer. Well, I don't know what you understood me, but I believe I looked for it both times.

Question. Do you know?

Answer. I am not certain that I went in there the first time, but I am quite positive.

Question. You are not certain that the registry was away between the two sessions?

Answer. I am not certain.

Question. Are you aware of any law that requires the registry to be posted up at the place of registry after the final close of the registry?

Answer. I am not.

Question. Do you know what time the law requires copies of the registry to be delivered to the inspectors of election?

Answer. I do not.

Question. Are you aware of any law that requires it to be delivered to them before the time for opening the polls?

Answer. I am not.

Question. Do you know whether these registers that were there—Mr. Reilly and Mr. Cowan—were Barr men or Brooks men?

Answer. I didn't ask them, sir. More directly, I don't know whether they were Barr, or Brooks, or what they were.

Question. You spoke on your direct examination of looking to find names that were on the registry—to find persons at the places stated as their residences, to see if they lived according as stated?

Answer. Yes, sir.

Question. Did you look in regard to any other persons than those nine soldiers' votes?

Answer. I don't know that I did. I think I did. I think Mr. Walker gave me two or three names. I am not certain.

Question. Then you are not certain that you made search in regard to any except these nine soldiers?

Answer. I did not make search for all those nine.

Question. But you are not certain that you searched for any except those nine?

Answer. I think I did; but I am not positive.

Question. The places that you mentioned where you searched—one place about six or seven doors towards the Third avenue from where you live—was that one of the soldiers' names?

Answer. Yes, sir; that was one of the soldiers.

Question. You don't remember who you inquired for at Jackson's foundry?

Answer. I didn't inquire for anybody; I saw it was a foundry, and I thought it was no particular use.

Question. What did it say—did it merely say Jackson's foundry, or did it give a particular number for the residence of the man?

Answer. It gave a number in Second avenue.

Question. Jackson's foundry, did it say?

Answer. No, sir; it didn't say Jackson's foundry.

Question. Was it not possible that you made a mistake in taking off the number?

Answer. I didn't take the number off.

Question. How did you know what number to go to?

Answer. Mr. Walker gave me that number, I think.

Question. Then you don't know whether the number was merely given to you or not?

Answer. That I couldn't say.

Question. Who gave you the number of the vacant lot?

Answer. I can't say exactly; I think that was one of the soldiers' votes that I had.

Question. Was it not possible that you made a mistake in taking that number off?

Answer. Well, I don't think it was possible.

Question. You think, then, you took that off correctly?

Answer. I think I did.

Question. Do you think that it was possible that you made a mistake?

Answer. I don't think it was.

Question. Where was the vacant lot?

Answer. Twenty-ninth street, between First and Second avenues, I think it was.

Question. Which side of the way?

Answer. I don't exactly recollect whether it was in Twenty-ninth street; but I am quite positive it was on the north side.

Question. Are there many vacant lots there?

Answer. I think the lots are filled up with a brewery.

Question. Been built up since?

Answer. Been built up since.

Question. Do you remember the number of that lot?

Answer. No, sir; I think they were then digging a cellar, or soon after.

Question. Wasn't there any building on any part of the lot?

Answer. No, sir.

Question. You say you don't know what number you were looking for?

Answer. No, sir. As I told you before, I am hard to recollect numbers after they are given to me.

Mr. PHELPS:

Question. Do you know of any instance where any parties who applied to have their names placed upon the register, and went away from the office of registry supposing that they were placed there, didn't have their names put upon the registry?

Answer. There were two on election day—one that I recognized. The reason why I recognized him is because he recognized me when he came into the register's place—although I don't know him, only by sight; I may have heard his name. And then when he came on election day his name was not on the register. I recognized him from that. Another one that I was quite positive I saw there came in soon after, and his name was not on the register.

Question. You are sure that there was one man, and think there were two?

Answer. Yes, sir.

Question. Are you sure that this young man handed in his name for the purpose of having it registered?

Answer. Yes, sir; he gave his name, and Mr. McDonald, I think, was taking it on a slip of paper.

Question. On election day, when he offered to vote and found that his name was not on the register, did he make any remarks?

Answer. Yes, sir; he was quite put out about it, and said it was a very curious idea when he saw it registered, and then it was not on the register.

Question. Did the second party make any remarks?

Answer. Pretty much the same thing; yes, sir.

Mr. WATERBURY:

Question. Did those two persons vote?

Answer. I believe they did.

CHARLES H. ROGERS.

Attest: JOHN P. BRADY, *J. C. P.*

George H. Webb sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. What are your initials?

Answer. George H. Webb.

Question. Where do you live?

Answer. 421 Third avenue.

Question. Did you live there on the 8th of November last?
Answer. Yes, sir.
Question. Did you vote for member of Congress?
Answer. I think I did.
Question. Where did you vote?
Answer. I voted on the corner of Thirty-first street, I think it was, and Second avenue—Mr. Fitz Simmons's store.
Question. For whom did you vote?
Answer. For what?
Question. For member of Congress.
Answer. I think I voted for a man by the name of Dodge.
Question. Are you sure you voted for Mr. Dodge?
Answer. Well, I don't know; I think so.
Question. Did you intend to vote for Mr. Dodge?
(Objected to.)
Answer. Yes, sir. I would vote for him every day I would get a chance.

Mr. ANTHON:

Question. What makes you think you voted for Mr. Dodge?
Answer. Well, I left the house with that intention.
Question. Where did you get your ticket to vote with?
Answer. I got it from Mr. Aston, I think. I was coming from the station-house, and I hadn't much time to wait, and I didn't want to go to the boxes; and I think he stood in the Third avenue between Thirty-third and Thirty-second street; and I said, "Give us one of your tickets;" and I took it and put it in.
Question. Did you open your ticket?
Answer. No, sir; I didn't open it.
Question. What is your occupation?
Answer. Police officer.
Question. For what precinct?
Answer. Sergeant of the sixteenth.
Question. You didn't do anything more than to vote that day in reference to the election; or did you take any active part in the electioneering?
Answer. Oh, we ain't allowed to do that, sir.
Question. I want to know if you did do it, in point of fact?
Answer. I couldn't electioneer when I was on the force.
Question. I want to know whether you did or not?
Answer. I don't know how to answer you, sir; how do you mean—to solicit any one to vote in a particular way?
Question. Did you do that?
Answer. Yes, sir; I don't recollect; I never try to influence a man's vote; I let him vote any way he thinks proper.
Question. How long did you stay at the polls that day?
Answer. Just long enough to see the inside, and left.
Question. You didn't do anything else at the polls except vote?
Answer. Yes, I did.
Question. What?
Answer. I got a chew of tobacco from one of the officers.
Question. Nothing else?
Answer. Nothing. I left right square after that.
Question. The regulations didn't prohibit that?
Answer. No, sir.
Question. Did you go to any other polls that day than the one in the third district?
Answer. Well, I think I took a section of men out to nearly every one of the

districts in our precinct, I think I did, to relieve the men to get their dinners—not for any other purpose, only police.

Question. Now, perhaps, you can answer the question whether you did really do any electioneering work on that day?

Answer. Well, now, I might say to a man, "Who are you going to vote for?"

Question. Nothing but that?

Answer. No, sir.

Question. You don't belong to any republican organization?

Answer. Yes, I do.

Question. To what one?

Answer. Not any particular; I belong to 'em all.

Question. Do you belong to any Union League?

Answer. Not as I am aware of; no, sir.

Question. Do you belong to any institution called a Union association?

Answer. Not any particular one; no, sir.

Question. Do you belong to any institution or organization called a republican association?

Answer. Not any particular one.

Question. To what one generally do you belong?

Answer. Well, I generally go around in the Fourth avenue when I have got leisure, when they have meetings.

Question. Have you been to that place in Fourth avenue in respect to this election?

Answer. No, sir. O! I beg your pardon; I may say I don't think I have; I won't be positive about that. I think not.

Mr. PHELPS:

Question. Do you know the politics of this Mr. Aston who gave you the ticket?

Answer. I don't, sir.

Question. You don't know whether he is Union or democratic?

Answer. I couldn't say what he was, sir.

GEO. H. WEBB.

Attest: JNO. R. BRADY, *J. C. P.*

William Geery sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 227 East Thirtieth street.

Question. Have you ever been here before to give your testimony?

Answer. Yes, sir.

Question. Do you know why your testimony was not then given or received?

Answer. Well, I think there was some mistake in the spelling of the name.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where did you vote, Mr. Geery?

Answer. On the corner of Thirty-first street and Second avenue.

Question. Do you know for whom you voted for that office?

Answer. Yes, sir.

Question. For whom?

Answer. Mr. Dodge.
Question. Have you a son?
Answer. Yes, sir.
Question. What is his name?
Answer. William Geery.
Question. The same name as yourself?
Answer. Yes, sir.
Question. Did he vote at the same election?
Answer. Yes, sir.
Question. Where does he live?
Answer. With me, in the same place.
Question. Did he vote at the same time with you?
Answer. At the same time.
Question. Do you know whether he voted for member of Congress?
Answer. Yes, sir.
Question. For whom did he vote?
Answer. For Mr. Dodge.
Question. How do you know that he voted for Mr. Dodge? Did he tell you so at any time?
Answer. Well, it was the understanding when we left the house to go to the polls, and we prepared our tickets together.
Question. Where did you prepare your tickets—at the house?
Answer. At the store in Thirtieth street.
Question. And you believe that he voted the same way that you did for member of Congress?
Answer. I have no doubt of it at all.
Question. Do you know a man by the name of Maycock?
Answer. Yes, sir.
Question. What is his first name?
Answer. I know two of that name.
Question. What are the names of the two?
Answer. One is Samuel and the other is Nathaniel.
Question. Do you know where Samuel Maycock lives?
Answer. Yes, sir.
Question. Where?
Answer. Well, I can't tell the number, but it is in the same block with myself.
Question. In East Thirtieth street?
Answer. Yes, sir.
Question. Did you ever hear Mr. Maycock say whether he voted on the 8th of November last?
Answer. Yes, sir.
Question. Did you hear him say whether he voted for member of Congress?
Answer. Well, I can't be positive about what he did say. I remember speaking to him about it, but what I can't say positively. He spoke rather undecidedly to me in the matter when I spoke to him about it; he left the matter in doubt rather.
Question. Didn't he tell you for whom he voted?
Answer. The matter was left in doubt; that is the impression on my mind.
Question. Where is your son, William Geery, jr.?
Answer. He is out in Pennsylvania.
Question. Was he here when you appeared before for examination? Did he come with you?
Answer. He didn't come with me; no. I think he was out of town.
Question. How long will he be away?
Answer. Well, we expect him back here about the latter part of May.

Mr. ANTHON:

Question. You say there was a misspelling in your name; do you know what name was on the list of witnesses that was said to be yours?

Answer. I know nothing about it except what I heard in the conversation that took place. It was spelled Gerry, I think; that is what I heard. That is all I know about the matter.

Question. You never call yourself Gerry, do you?

Answer. No, sir.

Question. Wouldn't know yourself by the name, having no other knowledge of the person intended?

Answer. Well, not from the fact itself alone.

Question. As we are entirely ignorant of who the person called is, you wouldn't know that you were the person called?

Answer. I wouldn't from the fact alone.

Question. Did you examine the ticket you voted?

Answer. I have no doubt of it.

Question. Do you remember it?

Answer. I do not; I haven't a distinct remembrance of the circumstance of the examination. All I know about the matter is, that it was our intention. I haven't the slightest doubt in my mind of who we did vote for.

Question. Where did you get the tickets you voted?

Answer. I believe we got them at a corner as we passed round the poll.

Question. Did you see your son get his ticket?

Answer. We both got our tickets together in the store, and I have no doubt they were——

Question. Are you willing to swear positively that the ticket which your son got was a precisely similar ticket to that that you got? Will you swear to that of your own knowledge?

Answer. Well, I will say now that I haven't the slightest doubt in my mind about who I voted for or who he voted for; but I haven't a distinct remembrance of preparing the tickets.

Question. Have you any recollection of comparing your tickets with his to see whether they were the same?

Answer. I haven't any doubt but what there was a sufficient examination of them made to vote as we intended to vote.

Question. Have you any recollection of it?

Answer. I have not of examining them.

Question. Or of comparing yours with his to see whether they were the same?

Answer. It has passed my recollection.

Question. Have you any knowledge of seeing the inside of his ticket?

Answer. It has passed my recollection.

Question. Have you any positive knowledge or recollection upon the subject at all as to those matters of preparing the tickets, &c.?

Answer. I haven't any recollection.

Question. Do you remember examining the presidential ticket?

Answer. I haven't any recollection of the preparation of the tickets; but, knowing what I went out to do——

Question. Did you get a complete set of tickets from the box where you obtained them?

Answer. Yes, sir; I voted the whole ticket.

Question. And you took the bundle from the box and deposited it in the ballot-box?

Answer. No, sir; we got the tickets from the corner. My impression is that the tickets were all examined there; but I haven't a distinct recollection of these things.

Question. The question I put to you was whether you took a full set of tickets from the box, and proceeded to put that full set into the boxes?

Answer. We didn't get the full set of tickets from the box; it was from the store.

WM. GEERY.

Attest: JNO. R. BRADY, *J. C. P.*

M. C. Hull sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 238 East Thirty-second street.
Question. Did you live there on the 8th of November last?
Answer. I did.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue, east side.
Question. For whom did you vote?
Answer. I voted for Mr. William E. Dodge.
Question. Did you see a gentleman by the name of Grady deposit his vote?
Answer. I did.

Mr. ANTHON:

Question. Did you examine your ticket before voting?
Answer. I did.
Question. Where did you obtain it?
Answer. I got it out of the box on Second avenue.
Question. Do you recollect reading the name of Mr. Dodge on your ticket?
Answer. I do.
Question. What is your business?
Answer. I am in the hardware business.
Question. Did you take any active part in the electioneering that campaign?
Answer. I don't know that I did. I probably spoke to some of my friends.
Question. Nothing more?
Answer. I think not.

M. C. HULL.

Attest: JNO. R. BRADY, *J. C. P.*

Michael Flynn sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 556 Second avenue.
Question. Did you live there on the 8th of November last?
Answer. I did, sir.
Question. Did you vote?
Answer. I did.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?

Answer. I did, sir.

Question. For whom?

Answer. Well, that I decline to answer, unless the court will compel me to do so.

Question. The law is that you are liable to punishment of fine and imprisonment if you refuse to answer. Mr. Flynn, who have you told who you voted for?

Answer. Perhaps, to save the court, or to save trouble, or anything of the sort, I will tell who I voted for. I voted for Mr. Brooks.

Question. Have you ever stated that you voted in a different manner, or for a different person?

Answer. Not under oath I haven't.

Question. Then you consider that it is no moral obliquity to tell a falsehood, except it be under oath?

Answer. Not when a sucker comes round me.

Mr. WATERBURY:

Question. Where do you keep?

Answer. 556 Second avenue.

Question. Live there?

Answer. I do, sir.

Question. Who do you hire the premises of?

Answer. A gentleman by the name of Smith.

Question. Who is his agent?

Answer. I believe I am.

Question. Who has called upon you in relation to the manner in which you voted?

Answer. Mr. Burchell.

Question. Any one else?

Answer. Well, there has been others called, but I don't suppose they put the question.

Question. How many times has Mr. Burchell been to see you?

Answer. He called once to know who I did vote for. Since then, of course, he has called several times.

Question. Has he been active going round?

Answer. Yes, sir, very.

Question. Requested you to go anywhere?

Answer. He did, sir.

Question. Where?

Answer. Fourth avenue.

Question. Did you go up there?

Answer. I did, sir, on the invitation of Mr. Burchell.

Question. How many persons were there?

Answer. It's possible there was some seventeen or eighteen or twenty.

Question. Was my friend Mr. Phelps there?

Answer. Yes, sir.

Question. Did he make any remarks there?

Answer. He did.

Question. To what effect?

Answer. Well, to the effect who we voted for—putting questions, what they should answer when they come to the trial.

Question. Do you remember any particular point of his remarks?

Answer. Well, the first question was, who they voted for; the next was, what question would be allowed to be put to the voters.

Question. Anything said about whether they read the tickets or not?

Answer. Yes, sir.

Question. What was said on that point?
Answer. He wanted to know whether they read their tickets.
Question. Was anything said about that being an important point for them to answer?
Answer. Yes, sir; I believe there was.
Question. Was Mr. Dodge there too?
Answer. Yes, sir; this gentleman was there—[pointing to Mr. Dodge.]
Question. Whereabouts in the Fourth avenue was this?
Answer. At a real estate agent's office—a Mr. Dennis, I believe.
Question. James Dennis's place?
Answer. And son, I believe—Dennis & Son, real estate agents.
Question. Were you present at the canvass of the election in the third district?
Answer. No, sir, I was not.

MICHAEL FLYNN.

Attest: JNO. R. BRADY, *J. C. P.*

John Secor sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 242 East Thirty-second street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes, sir.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom did you vote for member of Congress?
Answer. William E. Dodge.
Question. Have you a son named Albert Secor?
Answer. Yes, sir; Albert M. Secor.
Question. Do you know whether he voted for Mr. Dodge or not?
Answer. I do not.
Question. Did you ever hear him say whether he voted for Mr. Dodge?
Answer. I didn't. I don't know who he voted for. I never heard him say. I guess he voted in the district below.

Mr. WATERBURY:

Question. How long have you resided at your present place of residence?
Answer. It's a little over a year.
Question. Where had you resided previously
Answer. Well, I resided for a long while at Thirty-eighth street, betwixt Second avenue and Third avenue; I was over to South Brooklyn, but came back a year ago last August.
Question. Where did you get your ticket?
Answer. I think I got it of Peter Coutant.
Question. Where does he live?
Answer. On Third avenue.
Question. When did you get it?
Answer. The night before election.
Question. What did you do with it after you obtained it?
Answer. Well, I kept it till I voted.
Question. Where was it meanwhile—on your person?
Answer. Yes, sir; it was with me all the time.
Question. Did you have more than one ticket?

Answer. I had only the one set of tickets—republican tickets.
Question. Did you vote the entire ticket?
Answer. Yes, sir.
Question. Did you see a ticket put into each box at the election?
Answer. I did.
Question. Did you read the name of William E. Dodge upon the ticket you voted for member of Congress?
Answer. I did.
Question. There couldn't be any mistake about that?
Answer. No, sir.
Question. Do you ever make any wagers upon elections?
Answer. No, sir; that is something I never bet on.

JOHN SECOR

Attest: JNO. R. BRADY, *J. C. P*

Patrick Donnelly sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 162 East Thirty-first street.
Question. Did you live there on the 8th of November last?
Answer. Yes, sir.
Question. Did you vote?
Answer. I did, sir.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue.
Question. Did your father vote?
Answer. I think he did.
Question. Does he vote in the same place?
Answer. Yes, sir.
Question. Did you vote for member of Congress?
Answer. I did, sir.
Question. For whom did you vote?
Answer. James Brooks.

Mr. WATERBURY:

Question. Do you know which way your father voted?
Answer. I do not, sir; I didn't see him vote.
Question. Who spoke to you about coming up here to-night?
Answer. A man by the name of Burchell, and some other man; I don't know his name.
Question. Was Mr. Burchell to see you often?
Answer. He was only once. He was once down where we keep store.
Question. Was he anxious you should come up here?
Answer. Yes; he asked me to come up.
Question. Do you know Mr. Warren S. Taylor?
Answer. I don't know him; there was some man that came after me a few times; I don't know his name; he lives in Thirty-first street.
Question. Have you been up to this meeting in Fourth avenue?
Answer. No, sir.
Question. Do you know Warren S. Taylor—that gentleman standing up there?
Answer. No, sir.

P. DONNELLY.

Attest: JOHN R. BRADY, *J. C. P.*

Andrew Brady recalled

Mr. WATERBURY:

Question. Where do you reside?

Answer. 119 East Twenty-eighth street.

Question. With your father?

Answer. No; I ain't got no parents.

Question. Any brothers?

Answer. Yes, sir.

Question. How many brothers have you?

Answer. Two.

Question. What are their names?

Answer. Daniel and John.

Question. Daniel hold any office?

Answer. I don't know whether it's an office or not.

Question. State the position he holds under the United States government.

Answer. He is with the United States weigher; but whether it's an office or not I don't know.

Question. What are his politics—does he belong to the republican party?

Answer. I don't know whether he does or not.

Question. Do you know who he voted for for President?

Answer. No, sir.

Question. What other brother have you?

Answer. John.

Question. What office does he hold?

Answer. He's a letter-carrier in the post office.

Question. What are his politics?

Answer. I think they are republican; in fact, I am quite sure of it, as far as hearsay goes.

Question. Did you ever belong to a Union or republican organization?

Answer. I believe I did once, and bolted.

Question. When?

Answer. The time Judge Kelley was nominated for judge.

Question. Do you mean you didn't vote any of the republican ticket that year?

Answer. Yes, I did; but I didn't belong to the party.

Question. Who did you vote for for President now?

Answer. I voted the republican electoral ticket.

Question. How came you to vote for Barr for Congress?

Answer. Because I felt like it.

Question. Did you have any conversation with anybody, before the election, about voting for Barr?

Answer. I don't know for certain whether I did or not.

Question. Just remember.

Answer. Maybe I did—I think I did; I think a friend of mine asked me to go for him, and I went for him.

Question. Who was that friend?

Answer. Alderman James O'Brien; he was Jimmy O'Brien then.

Question. What inducement did he hold out to you to vote for him?

Answer. He didn't hold out none.

Question No inducement whatever?

Answer. No, sir.

Question. Who else did you converse with on that subject?

Answer. I come to recollect now one inducement; he said it would help him at the next election.

Question. What other inducement?

Answer. That's all.

Question. You say positively that there was no other inducement?

Answer. Not as I recollect.

Question. Don't you think you would be apt to recollect if there was an inducement?

Answer. Yes; if it concerned me I would.

Question. Who else did you talk with on the subject?

Answer. Every democrat I could get to vote for him.

Question. Who else on the subject of your voting for Barr?

Answer. Oh, I don't know; I might have told a good many.

Question. Who did you talk with on the subject of your voting for Barr, before you did vote for him?

Answer. I couldn't name the individuals—nobody but O'Brien.

Question. Is he the only individual you can name?

Answer. He's the only one, personally; I may have told some of my friends.

Question. Was there nobody else but O'Brien who asked you to vote for Barr before the election?

Answer. No; there was nobody asked me but him.

Question. Did any person ever say anything to you about any consideration, beneficial to yourself, that you could have for voting for Barr?

Answer. No, sir.

Question. Do you say that positively?

Answer. I am pretty well satisfied of it.

Question. I ask you if you can say positively?

Answer. I say so positively; because I don't recollect.

Question. You would know if there was?

Answer. If I got it; yes, sir.

Question. If you were to get it, it is a matter you would know?

Answer. All I got, I got a few dollars to spend towards electioneering.

Question. Who did you get them from—O'Brien?

Answer. Yes, sir; toward helping the election of Mr. Barr.

Question. And you told him you would vote for Barr?

Answer. I told him I would do what I could for him.

Question. And you voted all the republican ticket except for Congress?

Answer. Yes, sir; that is, the Union ticket.

Question. Did you attend the registry down in the fifteenth district, of the Eighteenth ward, the first day of the registry?

Answer. No, sir.

Question. Were you there on the second day?

Answer. I think I was.

Question. Was your brother there on the second day?

Answer. I believe he was.

Question. How came you to go on the second day?

Answer. My brother asked me to serve; he said he didn't think he could attend to it, and I told him I would, providing there was no objection to my serving.

Question. Who drew the pay for your services as clerk of registry?

Answer. James Thompson, I believe; he was the man we deputized to collect the money.

Question. Who did he pay it to?

Answer. He gave it to me.

Question. How much?

Answer. Twenty-five dollars.

Question. What did you do with the money? did you give it to your brother?

Answer. Not if I know myself.

Question. Did you keep it?
Answer. I kept it.
Question. Then you served for yourself, and not for your brother?
Answer. Certainly I did.
Question. Where do you live?
Answer. 119 East Twenty-eighth street.
Question. What district?
Answer. It's called the second district.
Question. What ward?
Answer. The Twenty-first ward.
Question. How far is it from there to the fifteenth district of the Eighteenth ward?
Answer. I never measured the distance.
Question. It is considerably over a half mile?
Answer. Yes; a good big half mile.
Question. Is it not a little singular that you were appointed clerk of the registry, living in a ward so far off?
Answer. Oh, that is not singular nowadays.
Question. Where does your brother live?
Answer. In the Eighteenth ward.
Question. Does he live in that district?
Answer. No, sir.
Question. Who were the registers there?
Answer. Hall, Cowan, and Dougherty.
Question. What are Hall's politics?
Answer. Now, you ask me too much. I can tell you what appointment he had; he had a republican appointment.
Question. What are Mr. Dougherty's politics?
Answer. He was a republican, too.
Question. And Mr. Cowan, what are his politics?
Answer. I suppose he was democratic, for the simple reason that he was a democratic appointment.
Question. Why should you judge from the way they were appointed?
Answer. I say I don't know what any of them is, only from the way they were appointed.
Question. You are sure that Dougherty is a republican?
Answer. No, sir; I am not sure.
Question. Didn't you say he was a republican?
Answer. I said he was a republican nominee.
Question. Didn't you say on your direct examination that Mr. Hall was a republican?
Answer. I don't think I did. I might have. I don't think I did. I would judge him to be a republican from the simple reason that he talked that way; but a man might talk one way and act another, the same as a man did here awhile ago.
Question. How many elections have you voted at before this election?
Answer. I voted since the election of 1856.
Question. Always voted the republican ticket?
Answer. No, sir.
Question. Who did you vote for for President in 1860?
Answer. Lincoln.
Question. Voted the republican ticket since that time?
Answer. No, not at every election; I voted sometimes a kind of succotash ticket.
Question. What kind of a ticket is that?
Answer. Half-and-half.

Question. And what kind of a ticket was this you voted at the last election?
Answer. That wasn't quite so bad.
Question. How much were you present during this session of the registry?
Answer. I was there all the time; sometimes I didn't go to get anything to eat—that is, the days I was there.
Question. That is, two days of the first session, and two days of the last?
Answer. Yes, sir.
Question. You were there from the opening of the registry to the close each day?
Answer. Not steady all the way through; I had to eat something.
Question. How much were you away?
Answer. Well, not over—I don't believe I was away an hour at any time.
Question. Who made out the copies of the registry in that district?
Answer. A copy from the original copy?
Question. Who made out the registry list and the copies of it?
Answer. I did; I did all the writing—more than I bargained for.
Question. How many copies did you make of the registry at the end of the first session?
Answer. Three, I think.
Question. What was done with the three?
Answer. Oh! after the first session? not three; two.
Question. What was done with them?
Answer. One was sent down below, and the other was hung up in the office.
Question. How many copies did you make after the second session of the registry?
Answer. Previous to the closing of the second session?
Question. After the close of the second session?
Answer. I made three, I think.
Question. What was done with those?
Answer. Well, I think one went down below where the law required it to go, and the other was given in care of the inspectors. Hall took one, I think, and Cowen, I think, took the other, for the use of the inspectors.
Question. Did you make out the three last copies?
Answer. Yes, sir.
Question. Did you put on either of those lists any person's name except he was registered by the inspectors of registry?
Answer. That is, men come in personally and have their names put on?
Question. Just as I ask you: did you put on either of those lists, or copies of the registry lists, the name of any person except such as were registered by the inspectors of registry?
Answer. The inspectors of registry didn't register none except a few.
Question. What do you mean by register?
Answer. Why, when I was gone they would put down a few men's names that happened to come in while I was gone, on the books.
Question. Who did that?
Answer. I won't say for certain; maybe it was Cowen, and maybe it was Hall; maybe they both done it for all I know.
Question. Did you put any names on the registry lists, except such as you received from the inspectors of registry?
Answer. Yes, sir.
Question. Where did you get them?
Answer. I got them off some kind of an account-book.
Question. Did the inspectors have that? Where did it come from?
Answer. It came from behind the counter.
Question. Who had it?
Answer. It was in possession of the landlord; it belonged to him.

Question. Mr. Thompson?

Answer. Yes, sir.

Question. Who did Mr. Thompson give that list to?

Answer. He fetched it in, I think, and laid it on the table.

Question. Who did he address himself to when he brought it in?

Answer. I don't know; there was both Hall and Cowen there; he might have addressed himself to both.

Question. What did he say

Answer. I don't recollect the precise language. He said there was names that he got; there was persons came in and did not see their names on the books and he took them down, or words to that effect. I ain't got it down fine. There was some little objections raised, I believe.

Question. Who raised the objections?

Answer. Hall did, I believe.

Question. But you were finally told to put them on the registry list?

Answer. Yes, sir; I had to do as I was told.

Question. I ask you if you put any names on any of those copies of the registry list, except such as you were instructed to put on by the inspectors of registry?

Answer. Yes; I put down names that I was not instructed by them to put down.

Question. Who told you to put them down?

Answer. There was nobody there to tell me to put them down.

Question. How came you to do it?

Answer. Well, persons would come there to get their names registered, and I would be writing there as clerk, and I put them down.

Question. Did you put any on that copy of the registry list except such as you were told to put on by the inspectors of registry, or the names of persons who came in and registered themselves—who gave you their own names?

Answer. No, not as I know of; I am pretty sure I didn't.

Question. In making out copies of that registry, didn't you change some of the residences?

Answer. No, sir; not if I knowed myself.

Question. I ask you, upon your oath, if you didn't put down opposite the names of any of the persons in those registry lists a different residence from what was given in?

Answer. Not knowingly; I didn't do it intentionally.

Question. Was it not done in a good many instances?

Answer. No, not as I know of.

Question. You don't?

Answer. No, sir.

Question. Was it not done in more than twenty instances?

Answer. I don't know whether it was done in one instance; it might have been done.

Question. Do you say it was not done?

Answer. I don't know.

Question. Didn't you take or have the name of a Catholic priest down in that district?

Answer. I don't know whether I did or not.

Question. Don't you know that you put a wrong residence opposite to his name?

Answer. No, sir, I don't.

Question. Did you never hear that it was a subject of great complaint in that district that you had put wrong residences opposite people's names?

Answer. Yes, sir; I was accused of that the next setting of the charter election, and I denied it point-blank.

Question. Will you tell me how the wrong names could have been put on the registry, different from what was given in, when you made copies of it, otherwise than intentionally?

Answer. Well, the place of registry was in the rear of a bar-room, and there was always a party in there drinking and making a noise, and a man might give me a name and say Fifteenth street, and I might put it in Sixteenth street. If I made mistakes, that was the only way they were made.

Question. Didn't you put down wrong residences in the names that you put down from the old poll-list?

Answer. No, sir; I put them down as they were called off at the time.

Question. Who called off to you?

Answer. I don't know for certain; it was one of the registers.

Question. Were the names from Mr Thompson's book called off to you, or did you copy them off yourself?

Answer. I forget whether I copied them off or whether they were read off at the time. I rather think they were called off to me.

Question. Are you not positive on that point?

Answer. No, sir; I am not.

Question. After the copies of the register were completed, each time, were they signed by the inspectors?

Answer. The first one was, I believe; that is, the first one that went down.

Question. The ones that were posted up and sent down to the county clerk's office?

Answer. Yes, sir.

Question. Were not the last?

Answer. I don't think they were, for the simple reason that Mr. Dougherty was not there.

Question. Didn't the other two sign it?

Answer. Cowen and Hall? I think they did.

Question. Do you know one person who was entered on either of those registry lists who was not a legal voter in that district?

Answer. No, sir; I was not acquainted down there. Do you mean his name down as a voter?

Question. I ask you if you can name a single person whose name was upon that registry list who was not a legal voter of that district?

Answer. Yes.

Question. Who?

Answer. My name was on it.

Question. Can you name another?

Answer. Yes, sir; there was Hall. I don't believe he lives in that district; he might; his name was on the back of the book.

Question. Who else?

Answer. That's all I know of.

Question. Were either of those names you have mentioned on the books as the names of voters?

Answer. No, sir.

Question. They were only on as certifying?

Answer. Yes, sir.

Question. Then you don't know the name of any person on there as a voter who was not a voter of the district?

Answer. No; all I know about it is simply this——

Question. I ask you if you know?

Answer. Well, I am coming to it. Sometimes, in writing down names, I would come to one that I would know, from the mere fact of writing down the names, that it was outside of the district; and I would just put down, at the side, "out of the district," so that the inspectors of election would take a note

of it. Further than that, I don't know if a man was down that was not entitled to vote in that district.

Question. Then you think in some there was a mistake in the residence?

Answer. Yes, sir.

Question. But you don't know whether they were voters or not?

Answer. They might live in the district.

Question. Then you don't know the name of a person in the district who you know was not a legal voter in the district?

Answer. No, sir.

Question. Have you been round that district any?

Answer. Since election? No.

Question. At any time; about the time of the election or since?

Answer. No; I was not round there, only election day.

Question. About the time of the election, I say—any day?

Answer. No; I didn't come there; I wasn't in the district. I believe I might have been in some part of it, at a fire, or something like that.

Question. Wasn't you along avenue B there during the time you were registering?

Answer. Oh, yes; the place is in avenue B.

Question. Well, were you not along through avenue B?

Answer. Yes; I would generally go down, and take a car through avenue B.

Question. Were there not a great many tenement houses in that district?

Answer. Yes, sir; quite a row of them along there.

Question. Any of them near the same place where the registry was?

Answer. No; I think there's several vacant lots there; on the other side of the street it's not filled up.

Question. On the other side, down to Seventeenth street?

Answer. No, sir; I think not. I saw a big ladder on the other side of Fifteenth street; it run down right to a vacant lot, I think.

Question. I understood you, a little while ago, that sometimes there was a good deal of confusion there?

Answer. Yes, sir.

Question. Were there a great many persons came there?

Answer. Sometimes the place would be filled. Some would come to see to getting their names registered, and some would come to see whether they were registered, and some would come to look on.

Question. There was a number outside sometimes?

Answer. Sometimes a great many.

Question. Attending there to be registered?

Answer. Oh, yes.

Question. Why was it that you were not sworn as clerk?

Answer. I don't know.

Question. Are you certain that Mr. Dougherty didn't administer the oath to you?

Answer. I am certain he didn't; I am pretty sure he didn't.

Question. Don't you think it was possible you were mistaken?

Answer. Well, I think if he had administered the oath to me I would know it.

Question. Suppose he would come and swear he did; which do you think would be mistaken?

Answer. I think he would be laboring under a wrong idea; I know I was sober that morning.

Question. Are you in the habit of being otherwise than sober?

Answer. Once in a while.

Question. You belong to an engine company, I suppose?

Answer. No, sir.

Question. A truck company?

Answer. Yes, sir; a fire company.

Question. Do you think they deserve as bad a character as Mr. Acton giv them?

Answer. No; I don't think they do.

Question. Who is foreman of that company that you belong to?

Answer. I believe I am, when I am out.

Question. Is that considered a republican company?

Answer. No; we don't consider ourselves nothing in the shape of politic it's something we don't travel on.

Question. Do you go in on both sides?

Answer. Yes, sir; we got 'em on both sides.

Question. Do you run to fires down in the Eighteenth ward, too?

Answer. Yes, sir.

Question. So that you know pretty much all about this district?

Answer. No; I don't know anything about it, except that we have fir sometimes down that way.

Question. Do the members of your company generally go together, one w or the other?

Answer. It don't make no difference how a man votes.

Question. Which do you think—if Mr. Dougherty should come here a make an oath that he swore you in as clerk of that registry, which would y think was most likely to be mistaken, you or Mr. Dougherty?

Answer. Why, him, of course.

Question. How many times had you taken something to drink that morni that you went down there to act as clerk of the registry?

Answer. I don't know.

Question. How many times do you think?

Answer. I couldn't form no idea.

Question. Are you really positive that you hadn't taken so much that influenced you?

Answer. Oh, no; it didn't influence my nerves.

Question. How many glasses does it take to affect you?

Answer. It depends altogether on how the system is.

Question. How was your system at that time?

Answer. I didn't take note of it.

Question. How many glasses did you take that day?

Answer. I don't know; I didn't count them; I wasn't that particular about

Question. How many did you take?

Answer. I don't know; I might have taken four, or two, or six, or fifteen.

Question. If you had drank fifteen, would it influence you much?

Answer. If I drank 'em right down it might; but if I took all day I do think it would.

Question. Did you vote for Mr. Barr more easily because Mr. Dodge was temperance candidate?

Answer. I didn't make any inquiries about whether they were temperar men or not.

Question. Now, just be careful and think whether you could not have tak so many that morning—whether you hadn't taken so many that you had forg whether Mr. Dougherty had administered the oath to you?

Answer. Oh, no, it was too soon.

Question. How early do you commence generally?

Answer. Not until after I get out of bed; it depends upon how I feel.

Question. How did you feel that morning?

Answer. I think I felt like taking a drink; I don't know whether I took o or not.

Question. Did you take any before you started?

Answer. I don't know; it's such a usual occurrence that I didn't take no note of it.

Question. What do you drink when you do drink?

Answer. Sometimes ale, sometimes Bourbon, sometimes lager.

Question. What did you drink that day?

Answer. I don't think it was soda-water; it might be a glass of ale; it might be Bourbon; it was either one, I think.

Question. How many do you think you took that morning?

Answer. I don't know that I took any; I won't say positively, although, if I felt like it, I might have had one.

Question. I take it you voted for Andrew Johnson?

Answer. Well, he's a good clever fellow. That's many a good man's case. He got in the hands of his friends, I suppose.

Question. Is it generally injurious to a man to get in the hands of his friends?

Answer. Sometimes it is, if they shake him.

Question. How many names do you say you put on this registry from the old registry list?

Answer. I think in the neighborhood of two hundred and fifty; the exact number I don't know; somewheres in that neighborhood.

Question. How came you to say, on your direct examination, that you took five hundred off the poll-list?

Answer. Oh, no, I didn't. What I said was—the question was asked me how many names was on that copy, and I said in the neighborhood of five hundred. They asked me how many were taken off, and I said a little over one-half.

Question. Don't you know that there was seven hundred on the old poll-list?

Answer. No, sir; I know I made the remark, after the names was copied—when we took what we found living in the district—that it was in the neighborhood of two hundred and fifty; and we found we had a little over one-half at the time.

Mr. PHELPS:

Question. Have you ever lived in this fifteenth district?

Answer. No, sir, I never lived anywheres but round in the neighborhood where I live now.

Question. Are you familiar with that part of the city where the fifteenth district is—know many persons there?

Answer. No, sir, I don't know perhaps half a dozen.

Question. It is not strange to you that you don't know, in this long list of names, that any of them were illegal voters?

Answer. No, sir.

Mr. WATERBURY:

Question. You say you don't know for whom your brother Daniel voted?

Answer. No, sir, I don't know as I ever heard him mention who he voted for.

Question. Does he belong to the Union party, as it is called?

Answer. I don't know whether he does or not.

Question. Did you do any cheating in making up that registry list?

Answer. No, sir, although I was accused of it.

ANDREW J. BRADY.

Attest: JNO. R. BRADY, *J. C. P.*

George H. Van Cleft sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. No. 166 East Thirty-second street.

Question. What is your occupation?

Answer. Book-keeper.

Question. Have you heard any one say how Julius Lassen, who lives at 581 Second avenue, voted on the 8th of November last?

(Objected to.)

Answer. I heard his wife say that he voted the Union ticket.

Question. Do you know a man by the name of John Miller?

Answer. Yes, sir.

Question. Where does he live?

Answer. He lives 546, I think it is, Second avenue.

Question. What is the state of Mr. Miller's health?

Answer. His health is very poor, and he probably won't live a month.

Question. Is he a young or an old man?

Answer. He is a man somewhere near eighty.

Question. Did Mr. Miller ever tell you how he voted on the 8th of Novembe last?

Answer. Yes, sir.

Question. Did he tell you for whom he voted for member of Congress?

Answer. He voted for Mr. Dodge.

Question. Did he ever tell you that more than once?

Answer. No, sir.

Question. Do you know a man by the name of J. Lichtenstein?

Answer. Yes, sir.

Question. Where does he live?

Answer. He lives 544 Second avenue.

Question. Near Mr. Miller?

Answer. One door south.

Question. Is that near where you live?

Answer. No, sir.

Question. Did Mr. Lichtenstein ever tell you which way he voted, eith before or after election?

Answer. He told me previously that he would vote for Mr. Dodge for Co gress.

Question. Did you ask him afterwards if he did?

Answer. I did; yes.

Question. What answer did he make?

Answer. That he had voted for Mr. Dodge.

Question. Do you think now of any one else in the Second avenue, in tha vicinity, who voted in that district, and told you that he voted for Mr. Dodge

Answer. No, sir, I don't think of any now.

Question. How happened you to make these inquiries of Mr. Lassen, an Mr. Miller, and Mr. Lichtenstein? Did you go for the express purpose ascertaining if they had voted?

Answer. I went at the request of Mr. Dodge and yourself.

Question. How happened you to know how Mr. Lichtenstein intended vote beforehand?

Answer. Well, he was a tenant of mine, and I asked him to vote for M Dodge.

Question. And he promised he would?

Answer. Yes, sir.

Question. And afterwards he told you he had?
Answer. Yes, sir.

Mr. ANTHON:

Question. Where does Julius Lassen live?
Answer. He lives at No. 488½—the old number.
Question. Does he now reside in the city of New York?
Answer. Yes, sir.
Question. What is his business?
Answer. He is a piano-forte maker. He has been a tenant of mine for a year.
Question. Did you ever ask Mr. Lassen himself how he voted?
Answer. No, sir.
Question. Did you ask his wife whether he voted for Congress?
Answer. Yes, sir; I asked her whether he voted the entire Union ticket.
Question. That was all you asked?
Answer. Yes, sir.
Question. Do you consider Mrs. Lassen as infallible on all questions of evidence?
Answer. No; I don't know as she is.
Question. How did you happen to ask Mrs. Lassen, when you might have asked her husband?
Answer. I was in search of information. It was more convenient for me to see Mrs. Lassen than it was to see Mr. Lassen.
Question. As a general thing, when you want to know how a man votes, don't you think it is better to go to the man himself, when it is convenient, as it was in this case?
Answer. I couldn't see him unless I went in the evening—I saw her in the daytime.
Question. When did you go to see him about it?
Answer. I think it was the latter part of November, or the first of December.
Question. Does Mr. Lassen reside now in the city of New York?
Answer. Yes, sir; resides in the same place.
Question. A tenant of yours?
Answer. Yes, sir.
Question. Has he been here any time since this examination commenced?
Answer. Not that I know of.
Question. Has any subpœna been served upon him?
Answer. Not that I know of.
Question. Did you ask his wife about that?
Answer. No, sir.
Question. Did you ask her if she saw his tickets?
Answer. No, sir.
Question. And didn't ask her for whom he voted for Congress?
Answer. No, sir; not particularly.
Question. This John Miller, do you know him?
Answer. Yes, sir.
Question. You asked him how he voted?
Answer. Yes, sir.
Question. When did you ask him that?
Answer. About the same time, I think it was—about the first of December.
Question. Were you here to-night when a voter said he had told some one that he voted for Mr. Dodge, but hadn't, and he always gave that answer to the "sucker" who came round?
Answer. I heard that.

Question. It did not shake your confidence in that mode of getting evidence about elections?

Answer. It shook my confidence in him.

Question. Do you still think that the best way to find about how a man votes is to ask his wife?

Answer. If it is more convenient for me to do that.

Question. Without reference to finding out the truth?

Answer. I thought it was the best way for me to do.

Question. Without reference to getting at the truth?

Answer. I was anxious to get the truth of the matter.

Question. Are you a married man?

Answer. Yes, sir.

Question. Did you tell your wife how you voted at the last election?

Answer. I did.

Question. You say Mr. Miller is not a young man?

Answer. No, sir.

Question. How old did you say he was?

Answer. I am not positive; I should think he was a man near eighty.

Question. Isn't he well enough to come out?

Answer. I should think it would be very imprudent for him to come out.

Question. Is he a man strong in health or otherwise?

Answer. No, sir; not very strong in health; I wouldn't be surprised if he should die in a day or two; I should think it would be imprudent for him to come out.

Question. What is his bodily condition? Is he feeble or strong?

Answer. He appears to me to be very feeble.

Question. A man weakened by age?

Answer. Yes, sir.

Question. How long has he been in that condition?

Answer. He has been so, or nearly so, for a year, or as long as I have known him; I haven't seen him out for two months; I used to see him out last summer in a warm day.

Question. Suppose he were brought down here in a carriage; do you think he is mentally able to submit to an examination?

Answer. I am not able to say about that; his physician is better able to answer the question.

Question. Do you think he might not have been brought here?

Answer. I presume he might; I don't express any opinion about it; I am not capable of forming any judgment about it.

Question. How long were you with him at the time you asked him these questions?

Answer. Twenty minutes, perhaps; I don't recollect exactly.

Question. Is his hearing good?

Answer. No, sir, it is not; he is not as deaf as some people at that age; but then you have to speak quite loud to make him hear.

Question. In answering you does he find any difficulty in replying, or is his voice strong, loud?

Answer. I guess he finds no particular trouble in making himself understood.

Question. What is the condition of his sight?

Answer. I should think his sight was impaired somewhat.

Question. Is he suffering from any disease, or merely failing from old age?

Answer. I should think it was both old age and disease; I should think he is both.

Question. When you saw him was he confined to his room, when you asked him these questions?

Answer. He was in his room at that time.
Question. Not confined to his bed?
Answer. No, sir.
Question. Who is he living with there?
Answer. Living with his wife.
Question. She takes care of him?
Answer. I suppose so.
Question. Is he able to take care of himself?
Answer. I should think not.
Question. When do you say you think it was that you called upon him?
Answer. I think it was about the 1st of December.
Question. About a month after election?
Answer. I should think so.
Question. Did you converse with him any time?
Answer. About twenty minutes.
Question. That was all devoted to inquiring as to the fact whether he had voted at the election or not?
Answer. No, sir.
Question. How much of the time was devoted to asking him whether he voted at that election?
Answer. Well, probably not over five minutes.
Question. Did Mrs. Lassen tell you where her husband voted?
Answer. No, sir.
Question. Did Mr. Miller tell you where he voted?
Answer. Yes, sir; Thirty-first street and Second avenue.
Question. Did you ask him?
Answer. No, sir.
Question. Did you ask him any other questions as to his vote, except who he voted for?
Answer. I don't recollect now; that was the subject of the conversation; I don't recollect the details.
Qeustion. You don't recollect any cross-examination on your part to ascertain about his voting?
Answer. No, sir. Well, his daughter was present, and asked the question herself.
Question. Why did she ask the question?
Answer. Because I had asked her to.
Question. Why did you ask her to?
Answer. Because she could make herself better understood than I could.
Question. Were there any questions put to him other than the general one of who he voted for?
Answer. Yes; he was asked if he voted the whole ticket, and if he was sure.
Question. That was all?
Answer. Yes, sir.
Question. You didn't ask him whether he saw his tickets, or whether he opened them or not?
Answer. No, sir.
Question. Who is this Mr. Lichtenstein?
Answer. He keeps a shoe store in the Second avenue; he is a German.
Question. Is he the gentleman whom you asked to vote for Mr. Dodge?
Answer. Yes, sir.
Question. He is a tenant of yours?
Answer. Yes, sir.
Question. What premises does he hire from you?
Answer. A store.
Question. How, by a lease?

Answer. No, sir, by the month or by the year.

Question. Which is it?

Answer. Well, he pays his rent monthly, although he agrees to take it for a year at a time.

Question. When do you consider yourself at liberty to turn him out?

Answer. At the end of the year only, if he doesn't pay his rent.

Question. Why did you ask him to vote for Mr. Dodge? Did you think that your influence with him would be powerful?

Answer. Not particularly so.

Question. Why did you go to him to get him to vote?

Answer. Because I went to fifty other persons to get them to vote.

Question. Did you think his being your tenant would influence his vote?

Answer. Not that fact alone.

Question. He told you he had voted for Mr. Dodge?

Answer. Yes, sir.

Question. You asked him if he had voted for Mr. Dodge, as he promised?

Answer. Yes, sir.

Question. How long after the election?

Answer. About the 1st of December, I should think; I am not positive.

Question. When does his occupancy of that store terminate?

Answer. The 1st of May.

Question. Had he made any application to continue any longer?

Answer. No, sir.

Question. Do you know whether he desired to do so?

Answer. Yes, sir.

Question. Is he still your tenant?

Answer. He is.

Question. You say you are a book-keeper—for whom?

Answer. Mr. Schuyler—John L. Schuyler.

Question. At whose request did you make all those inquiries of these people?

Answer. Mr. Phelps, I believe, requested me to do it.

Question. How did you come into communication with Mr. Phelps on this subject?

Answer. Well, I met him accidentally one evening at Mr. Dennis's office.

Question. May I ask you what your particular business was at Mr. Dennis's—whether you were there on private business, or something else?

Answer. No, sir; I was there on no particular business. I am in there frequently evenings. I look in two or three evenings in the week sometimes.

Question. Did you go there in the expectation of seeing Mr. Dodge and Mr. Phelps?

Answer. No, sir; I was astonished to see them.

Question. How did the conversation between you commence?

Answer. Well, some were being examined, and some one suggested that I, knowing a great many people in the Second avenue, would be a good one to see some people, and I took the list and checked off some of them that I knew, and they requested me to see them.

Question. Did you attend any meeting in the Fourth avenue, of persons who were expected to be or have been witnesses in this matter?

Answer. I was there one evening, but it wasn't by appointment; I happened in at a meeting there.

Question. Was that before or after the meeting at which Mr. Phelps requested you to see these persons?

Answer. Afterwards.

Question. Who was present at that accidental meeting?

Answer. Well, Mr. Dennis was there, and Mr. Schuyler was there; (Mr.

Schuyler went in accidentally with me.) I saw Mr. Dodge, and Mr. Phelps. There were several that I don't recollect their names; I know their countenances very well.

Question. Who is Mr. Schuyler?

Answer. He is a lumber merchant at the foot of Fifth street.

Question. Were you at all interested in this election?

Answer. I was interested in seeing Mr. Dodge elected.

Question. I mean that you had no interest in it other than your intellectual interest in the result of the canvass?

Answer. That's all, sir.

Question. Do you know the boundaries or the limits of the third district?

Answer. I believe I do—yes, sir.

Question. Will you be kind enough to state them, as near as you can remember?

Answer. It is bounded by the Third avenue, Thirtieth street, Thirty-second street, and the river.

Question. Is this house, this place where Mr. Dodge is taking evidence in support of this contest, in the third district?

Answer. Yes, sir.

GEORGE H. VAN CLEFT.

Attest: JNO. R. BRADY, *J. C. P.*

Pierre W. Wildey sworn. (Objected to. See page 10)

Mr. PHELPS:

Question. Where do you live?

Answer. I live at 38 Ninth street.

Question. Are you a notary public?

Answer. Yes, sir.

Question. Was this affidavit sworn before you?

[Paper shown to witness] (See Appendix, "W. W. Phelps, March 27, 1865.")

Answer. It was.

Question. Was it written out by you?

Answer. No, sir; it was not.

Question. What was the name of the party who made the affidavit?

Answer. His name was Patrick Smith.

Question. What was Mr. Patrick Smith's profession or business?

Answer. He was a soldier—high private.

Question. Did he say where he resided?

Answer. He said he resided at 249 East Eighteenth street.

Question. Was he still in the service?

Answer. Yes, sir, he was.

Question. How happened he to be home then?

Answer. I don't know; he didn't say.

Question. Did he state what regiment he belonged to?

Answer. I understood him to say that he belonged to the 17th New York volunteers, although it is not in the affidavit.

Question. Did he state anything about a Lieutenant Kelly of that same regiment?

Answer. He said that Lieutenant Jeremiah Kelly, of the 17th New York volunteers, came down from the army of the Cumberland, and obtained from the soldiers there a travelling-bag full of soldiers' votes, and that the same were

brought on to New York city and deposited in the ballot-boxes of the eighth congressional district.

Question. Are you positive whether the soldiers whose votes were thus deposited reside there or not?

Answer. I am not.

Question. How many did he say there were?

Answer. He said there were over two hundred of them.

Question. How did he know?

Answer. He said that Kelly afterwards boasted of the fact in his presence, and said that but one vote was lost, and Mr. Brooks well knew what good those votes did him.

Question. How do you know this?

Answer. From the fact of his swearing to it before me.

Question. Did Mr. Smith state anything about leaving the city soon?

Answer. He said he should have to leave the city soon. I think he said he was home on furlough, and would have to leave the city in a few days.

(Affidavit put in evidence. See appendix.)

Mr. WATERBURY:

Question. Where do you reside?

Answer. No. 38 Ninth street.

Question. How long have you known this Patrick Smith?

Answer. Only the day that he came in.

Question. Did he come in alone?

Answer. He came in with two others.

Question. Who were they?

Answer. One was a soldier.

Question. Was he of the same regiment?

Answer. I don't know.

Question. What is his name?

Answer. I don't know his name. The other was a man named Hargin.

Question. What is Hargin's first name?

Answer. I don't know his first name.

Question. Do you know where he lives?

Answer. No, sir.

Question. Do you know whether it was the same Mr. Hargin that joined the temperance society the night before he was examined?

Answer. I don't know anything about it, sir.

Question. Have you ever seen him before?

Answer. I have seen him one hundred times, I suppose.

Question. Where have you seen him?

Answer. I have seen him in the street, and in Mr. Phelps's office, and I have seen him here.

Question. When did you see him here?

Answer. About three weeks ago.

Question. How many times have you seen him in Mr. Phelps's office?

Answer. Perhaps fifty to seventy-five times.

Question. Within what time?

Answer. Within six months.

Question. Did you know the other man that was in besides Hargin and Smith?

Answer. No, sir; never saw him before.

Question. Well, you don't know whether Smith was really in the army except what he said?

Answer. Only what he swore before me, and statements made by the other person.

Question. You don't know whether either of them was a voter?
Answer. No, sir.
Question. You don't know whether either of them was worthy of belief or not?
Answer. No, sir.
Question. You don't know whether either of them was a loyal man or a rebel?
Answer. No, sir.
Question. Do you know Jeremiah Kelly, the lieutenant that was spoken of?
Answer. No, sir, I do not.
Question. Did this man say that he belonged to the 17th New York volunteers at that time?
Answer. I understood him to say so; he didn't say so in the affidavit.
Question. Did the other man say anything about it?
Answer. No, sir.
Question. Supposing it should turn out that the 17th New York volunteers was not in existence at that time, but had served their time out, and had been mustered out of the service some time previously; what should you think of the statement you took down from this man?
Answer. I should think nothing about it.
Question. Would you think just as much of it as you would if it was not so?
Answer. Not of that part of the statement. As a whole, I should not think that affected it at all.
Question. If there was no 17th New York volunteers in existence, it was somewhat difficult for Jeremiah Kelly to have been lieutenant of it at that time?
Answer. Yes, sir.
Question. And he swears that Jeremiah Kelly was lieutenant of the 17th New York volunteers?
Answer. Not at the time he made the affidavit, but at the time the voting took place.
Question. If, previous to that time for several months, there was no such regiment as the 17th New York volunteers, it would be inconsistent with his story—with that part of it stating that Jeremiah Kelly belonged to it—would it not?
Answer. Yes, sir.
Question. You are a lawyer?
Answer. Yes, sir.
Question. It is a maxim of law that if a story is wilfully false in one respect, it should be so taken in all, is it not?
Answer. I suppose so; yes, sir.
Question. How did this man Smith know where Kelly deposited these votes?
Answer. Because Kelly told him where he deposited them.
Question. Did he say he went all round with Kelly?
Answer. No; he said Kelly boasted of it in his presence that he had voted two hundred votes.
Question. Did he say how he managed to vote two hundred votes?
Answer. He didn't state.
Question. Did he state where Jeremiah Kelly lived?
Answer. No, sir; he said, at the time he spoke of it, he was in the army.
Question. And was at that time lieutenant of the 17th New York volunteers?
Answer. He didn't say as to that.
Question. Did Mr. Kelly say that he voted them all in one election district, or many?
Answer. He said he voted them all in the eighth congressional district.
Question. There are forty-eight election districts?
Answer. He didn't mention any election district.
Question. How long did he say he had known this Lieutenant Kelly?
Answer. He didn't state, except that he knew him.

Question. Didn't he say anything, this Patrick Smith, to indicate what regiment he belonged to?

Answer. I don't recollect that he did—not positively.

Question. Did the other man say anything to indicate what regiment he belonged to?

Answer. The other man said nothing.

Question. Don't you think that is rather a ridiculous story to testify to?

Answer. No, sir; I only testify to it as a notary public.

Question. I don't suppose you are responsible for it. Don't you think that Patrick Smith's story is rather incredible?

Answer. I think not, in view of what I have heard.

Question. Do you believe it?

Answer. I never believe or disbelieve affidavits. I think very probably it is true.

Question. I ask you if you think it is true; don't you think the story is rather absurd and incredible?

Answer. No, I think not.

Question. Have you any experience in elections?

Answer. Very little.

Question. Did you vote at this last election in November?

Answer. I hadn't resided in any one district long enough to vote.

Question. Do you think it would have been possible for one man to have deposited two hundred soldiers' votes on day of election?

Answer. I suppose he might.

Question. Have you any knowledge?

Answer. I have no knowledge.

Question You don't know anything about the machinery of voting?

Answer. Nothing special, only from hearsay.

Question. Did you ever vote at all at any time in your life?

Answer. Oh, yes.

Question. Were you ever present when a soldier's vote was deposited?

Answer. I have been in other parts of the country—not in New York city.

Question. When?

Answer. Two years ago, in Westchester county—not two years ago, one year ago.

Question. Are you sure?

Answer. I feel pretty confident of it.

Question. Was there ever any soldier's vote deposited in this State before the last November election?

Answer. (After some hesitation.) No; because the law was not passed then. I was mistaken about that.

Question. You are not mistaken in regard to this affidavit?

Answer. No, sir.

Question. Have you seen this Patrick Smith since?

Answer. I have not seen him since.

Question. Who paid for the stamp on this affidavit?

Answer. I don't know.

Question. Did you put it on?

Answer. Yes, sir; that is, either myself or Mr. Phelps put it on.

Question. Well, Patrick is a common name, is it not?

Answer. Very.

Question. And Smith is somewhat common too, is it not?

Answer. Very.

Question. Did Mr. Hargin introduce these men to you?

Answer. He introduced Mr. Smith to me; I don't recollect whether he introduced the other man or not.

Question. Was it a very formal introduction, or an ordinary one?

Answer. Well, it was merely saying, "Here's a man named Patrick Smith, and Patrick Smith wishes to swear to such and such a thing." He had it written out when he came in.

Question. Who had it written out?

Answer. Mr. Smith.

Question. Did he say it was his own handwriting?

Answer. He didn't say anything about it.

Question. You didn't prepare it?

Answer. No, sir.

Question. Did you have any further conversation with him?

Answer. Yes, sir; I talked with him ten or fifteen minutes.

Question. Did he tell you how many battles he had been in?

Answer. No, sir.

Question. Are you sure he was not a bounty-jumper?

Answer. No, sir; I didn't ask him.

PIERRE W. WILDEY.

Attest: JOHN R. BRADY, *J. C. P.*

Gideon L. Walker recalled.

(Objected to, on the ground that the witness has already been examined under the notice given; and that no subsequent notice having been given, the contestant has no right to re-examine him.)

Mr. PHELPS:

Question. You said that when you acted as inspector of election there were a good many soldiers' votes received, if I remember rightly?

Answer. Yes, sir; there was quite a number.

Question. Do you remember by whom any of these soldiers' votes were indorsed—by whom the affidavits were made?

Answer. The twelve or fourteen that were brought by this gentleman from Madison avenue were sworn by a Lieutenant Kelly, of the 17th New York volunteers. I took down the name at the time and a description of the votes; and there was a colonel, or some person in officer's dress, there; Mr. Birdsall and this gentleman who presented the names said it was Colonel Funk. I know it was an officer I had seen in Thirty-second street, and who got up his regiment at Lafayette Hall. I am quite sure because I had seen him at both places. The affidavits were taken by Lieutenant Kelly.

Question. Were there twelve soldiers' votes that were signed by this Lieutenant Kelly, the same twelve of which you made a memorandum with reference to which you discovered, upon after-examination, that the parties were bogus; that is to say, didn't reside where they were reputed to reside?

Answer. Yes, the same persons; I took a list of the persons and the places that they purported to reside at, as appeared on the registry list; afterwards I examined myself, and had another person, too; and no one of the name lived at those places.

Question. Do you know how many sub-districts there are in the Eighteenth, Twentieth, and Twenty-first wards?

Answer. I don't know; I should think about fourteen in the Eighteenth; about the same in each.

Question. If Lieutenant Kelly was fortunate enough to get in twelve or fourteen in one district, might he not have got in two hundred in all the districts in the course of the day?

Answer. I should think he could.

Mr. WATERBURY:

Question. You said you made a memorandum of these soldiers' votes: what memorandum did you make?

Answer. I took a blank affidavit that was there, and took the names of the soldiers, and the name of the party by whom they were sworn.

Question. Where is that memorandum?

Answer. I rather think it is at my house; I kept it for some time.

Question. Did you take the name of the officer by whom they were sworn?

Answer. Yes, sir; they were all by the same officer.

Question. Will you swear it was not the forty-seventh regiment?

Answer. Yes, sir, I am very willing to; for the reason that this man, who they said was an officer of the seventeenth, was there at the time.

Question. Colonel Funk?

Answer. I think that was the name; it was Lieutenant Colonel Funk, I believe.

Question. Supposing it should turn out that he would have been colonel of some other regiment, and not of the seventeenth, then wouldn't you think that you were mistaken?

Answer. No, sir; not in relation to Kelly.

Question. Upon your statement, as I understand it, this Colonel Funk and Lieutenant Kelly belonged to the same regiment?

Answer. I so understood it.

Question. Supposing it should turn out that it was another regiment that Funk belonged to?

Answer. I don't think I should be mistaken. About the other I am quite willing to swear, because I took down the number at the time on my memorandum.

Question. Will you swear it was the seventeenth?

Answer. Yes, sir; I am quite sure it was the seventeenth, because it was a city regiment.

Question. Is the seventeenth a city regiment?

Answer. I think it is.

Question. Will you say that the seventeenth New York volunteers is a New York city regiment?

Answer. I think it is.

Question. Do you think it is in existence now?

Answer. Yes, sir; I think it is; I think the colonel had his headquarters on the Fourth avenue while raising it.

Question. Do you know that every one of the first thirty regiments were discharged from the service?

Answer. Yes, sir, of the first; it was in '62 this was raised.

Question. Don't you know that every one of the first thirty-nine regiments was mustered into the service and left the city of New York before the fortieth did?

Answer. No, I do not, sir.

Question. Supposing such was the fact, wouldn't it shake your confidence in regard to the correctness of the statement you are now making?

Answer. No, sir; not as far as the statements made on election day goes; I remember that this regiment was raised, I think it was in '62.

Question. Supposing that, and along up to the fortieth, and a much higher number than the fortieth, were all raised in 1861?

Answer. Then I would be mistaken a year.

Question. Supposing the first thirty-eight regiments all left New York before the 1st of July, 1861?

Answer. I do not know; this man might have signed himself as belonging to a regiment that was out of existence.

Question. Do you read the Tribune?

Answer. I sometimes read it; I read all the papers.

Question. Didn't you read in the Tribune a list of regiments, and a caution to the people to beware of the votes in those regiments?

Answer. No, sir; if I did I have no recollection of it; I didn't take interest enough about it to notice that it was published; I don't know that it was published.

Question. What was Kelly's first name?

Answer. I have forgotten his first name; but I know it was Kelly.

Question. Do you know this Patrick Smith?

Answer. No, sir.

Question. Do you know this man Hargin?

Answer. No, sir; I wouldn't have remembered Kelly, only I put it down on my memorandum, and the name of the persons, and their residences, all as they were offered; because we were for nearly two hours, I objecting, and Mr. Geoghegan urging it; therefore, I had plenty of time to put down all the names, and when he returned we admitted them.

Question. When did you first see or know of this affidavit?

Answer. Which affidavit?

Question. That was read here to-night.

Answer. I never heard anything at all about it.

Question. What did you say Kelly's first name was?

Answer. I don't remember now; but I could by referring to my memorandum; I know he was a Lieutenant Kelly; I have forgotten the first name.

Question. There are a good many Kellys in the world.

Answer. There is quite a number, I believe.

Adjourned to Saturday, March 18, 1865, at 10 o'clock a. m.

SATURDAY, *March* 18, 1865.

Thomas M. Wicker sworn.

Mr. PHELPS:

Question. Where do you live?

Answer. 239 East Thirtieth street.

Question. Do you live in the same house with your father?

Answer. Yes, sir.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where did you vote: where was the polling place?

Answer. I think it was in Second avenue, corner of Thirty-first street.

Question. What are your politics—if you have no objections to stating—are you democratic or republican?

Answer. I voted the republican ticket for the last four years.

Question. Did you vote the whole republican ticket this time in all the offices?

Answer. Yes, sir.

Question. For whom did you vote for member of Congress?

Answer. I voted for Mr. Dodge.

Mr. ANTHON:

Question. Where did you vote?

Answer. I voted in Second avenue, corner of Thirty-first street, I think it was.

Question. Did you read your ticket before voting?

Answer. No, I didn't read it.

Mr. PHELPS:

Question. If you didn't read your ticket, will you state the circumstances that make you positive that you did vote for Mr. Dodge?

Answer. I generally leave home early in the morning, and I requested my father to get me the tickets the night before, so that I would have no trouble in the morning; so that morning I asked him if he had them for me, and he said yes, that they were all right; it was a Union ticket.

Question. Did you make any special inquiry as to whether Mr. Dodge's ticket was amongst them?

Answer. Yes; he knew I intended to vote for Mr. Dodge; I asked him if Mr. Dodge's ticket was there, and he said yes, it was all right; so the gentleman at the ballot-box said, "Mr. Wicker votes the whole."

THOMAS M. WICKER.

Attest: JNO. R. BRADY, *J. C. P.*

Edward L. Thompson sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 349 East Thirtieth street.

Question. Has that street any other set of numbers?

Answer. Not that I know of.

Question. You lived there on the 8th of November last?

Answer. I did.

Question. Did you vote for member of Congress?

Answer. I did, sir.

Question. Where did you vote?

Answer. I voted at the corner of Thirty-first street and Second avenue.

Question. For whom did you vote for member of Congress?

Answer. Mr. William E. Dodge.

Mr. ANTHON:

Question. Did you read your ticket before voting?

Answer. I did, sir.

Question. How long before you deposited it in the ballot-box?

Answer. I was detained a long time before I could vote.

Question. You examined it at the polling place?

Answer. I examined it before I went to the polls; obtained my tickets before I went up, and kept them in my hand.

Question. The ticket didn't leave your possession from the time you got it until you went to the place?

Answer. No, sir; I retained it in my hand and deposited it.

Question. Did you see it deposited in the box?

Answer. I did, sir.

E. L. THOMPSON.

Attest: JOHN R. BRADY, *J. C. P.*

William Young sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 415 Third avenue.

Question. Did you live there on the 8th of November last?
Answer. Yes, sir.
Question. Did you vote?
Answer. Yes, sir.
Question. Where did you vote?
Answer. I voted corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?
Answer. I did.
Question. Do you know for whom you voted?
Answer. I voted for William E. Dodge.

Mr. ANTHON:

Question. What time of the day did you vote?
Answer. Well, it was, as near as I could judge, (I couldn't say exactly,) it was between eleven and one; I waited over an hour there before I got in.
Question. Did you read your ticket before voting?
Answer. Yes, sir.
Question. You remember seeing the name of William E. Dodge on it?
Answer. Yes, sir.
Question. Do you remember any one else for whom you voted?
Answer. I voted for President Lincoln; I voted the whole ticket except assemblyman; that's the only one I didn't vote.
Question. Do you remember the name of any other particular person for whom you voted, other than Mr. Dodge?
Answer. Well, I voted for—I can't recollect the names just now; there was Fenton, for one.
Question. Who did you vote for for sheriff?
Answer. I can't recollect only names familiar to me; those names dropped from my memory a short time afterwards.
Question. How did the name of Mr. Dodge happen to be familiar to you?
Answer. Because I had heard of him so often.
Question. How long had you been residing in the district before you voted?
Answer. I resided in the district since the first of last May.
Question. The May previous to the election?
Answer. Yes, sir.
Question. Did you make any bet upon the result of the election?
Answer. No, sir.
Question. You are a native of the city of New York?
Answer. No, sir; Pennsylvania.
Question. How long had you been living in the State of New York?
Answer. Well, about fourteen years since I came here; I came here a boy to learn my trade, and have been here ever since.
Question. What answer did I understand you to give to the question whether you had any bet upon the election?
Answer. I said, No, sir.
Question. Are you a member of any republican organization?
Answer. No, sir, I am not.
Question. What part did you take in the election other than voting?
Answer. I didn't take any part other than to vote.
Question. What is your business?
Answer. Plumbing.
Question. Whereabouts?
Answer. 415 Third avenue.

WILLIAM YOUNG.

Attest: JNO. R. BRADY, *J. C. P.*

Bernhard Ranft sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where did you live on the 8th of November last?
Answer. 554 Second avenue.
Question. They don't have a double set of numbers there, do they?
Answer. Yes; the old number is 490½.
Question. What was your occupation?
Answer. Barber.
Question. What were you—a journeyman, or had a shop of your own?
Answer. I had a shop of my own.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. For whom did you vote?
Answer. W. E. Dodge.
Question. Do you know who kept the place where the polls were held?
Answer. Fitz Simmons.
Question. What was Mr. Fitz Simmons's business?
Answer. A rum-shop.
Question. Was there any liquor sold there on the day of election?
Answer. I believe it was sold there.
Question. What makes you think it was sold there?
Answer. I heard some ask for liquor.
Question. Did you hear more than one ask for it?
Answer. Well, I didn't stood long enough there; there was a crowd there; so long as I was there I heard several ask for liquor.
Question. Do you know whether they got it?
Answer. Yes; I heard them pour out in a tumbler.
Question. Did you know this Mr. Fitz Simmons before the day of election?
Answer. Yes.
Question. How long had you known him?
Answer. Ever since the first part of October. I came there on the 5th of October, and he was in the country, and came back in a few days.
Question. How happened you to know him—was he one of your customers?
Answer. Yes; I know the old boss; he say that he was a customer to get shaved by the month, and that's the reason I knowed him right away.
Question. Does this Mr. Fitz Simmons care anything about politics?
Answer. Yes, he does.
Question. Which side is he for?
Answer. The democratic side.
Question. Would you say that he was a strong sympathizer with the democratic party?
Answer. Yes.
Question. Do you know whether Mr. Fitz Simmons had any connexion with bounty-jumpers?
Answer. Yes, he has.
Question. State whatever you know about that.
Answer. Well, it was the second time he came into the shop after he come back. A few minutes afterwards another fellow came in and talked so much about it, saying how he got out. I believe he had come out from Elmira; I am not exactly sure.
Question. What did he say he went up there for?
Answer. In his talking with that bounty-jumper, I made so much out of it

that he got him out—four or five, I believe he said, that he got 'em out. He went there to get 'em out. They all hang around there day and night.

Question. Did he say he went to Elmira to get this fellow out?

Answer. He didn't say so, but I thought so much from what he was talking about it. A couple of days afterwards I saw the other fellow, and I ask him how he go to work there. He says, "Whenever you want to go, you must take a few friends along and the first chance you get you run away; he must be there with some citizens' clothes, and you change them and walk right off into the country."

Question. Did he say that Fitz Simmons was there to help him off?

Answer. I didn't ask him if Fitz Simmons was there, but I believe it.

Question. Do you know whether there was any connexion between this Fitz Simmons and these bounty jumpers?

Answer. One told me that he deposited his money there what he made. Fitz Simmons had it in his hand.

Question. Was he ever a barkeeper of Fitz Simmons's?

Answer. Yes; a couple of years ago, I believe, he attended his bar.

Question. Did you live in the district at the time of the riots?

Answer. No.

Question. How soon after election day did you go to Fitz Simmons's liquor shop?

Answer. The next day.

Question. What time of the day was it?

Answer. I believe it was about 10 o'clock.

Question. What did you go there for?

Answer. Well, I didn't receive any paper then, and I wanted to see how the election stood; I wanted to ask him about it.

Question. Who was in there?

Answer. A party stood there in the middle of the place—a party of about five or six stood there talking together.

Question. Talking with whom?

Answer. Talking amongst themselves. Fitz Simmons stood one side and was blacking his boots.

Question. Did you hear any conversation between Fitz Simmons and any one else in reference to the election?

Answer. Yes, I did.

Question. Can you state to me, as nearly as possible, what passed in this conversation; who was it with?

Answer. Well, I didn't know the other fellows; I only saw them around there; they never come to me. One of the party said that he blamed Fitz Simmons. He commenced that way: he say "Fitz, you always make such God damn blunders."

Question. What did Mr. Fitz Simmons say to that?

Answer. Fitz Simmons said: "Hell I do! What do you mean by that?"

Question. What did this man say?

Answer. Well, so he said: "Well, you promise so much to do before, and there's scarcely anything been done."

Question. What said Fitz Simmons to that?

Answer. Then Fitz Simmons spoke a few words in a low voice; then I heard him say that he had it all arranged before.

Question. What did he mean by that?

Answer. I believe that he made up what he should do. He said he had some votes counted and had 'em in his pocket.

Question. What did he say he did with these votes?

Answer. After the poll was closed they were sitting there, and he counted so many and had them in his pocket, and while the others was all busy counting

he counted just as much for the other party and had 'em in his other hand and laid them back on the table, and so he counted what he took and put 'em back in his pocket.

Question. What reply did the other man make to this?

Answer. He said, "Well, if you done that you are all right."

Question. Did you hear any more conversation with the others about it on that day?

Answer. No. Then he treat us; then he told me I should come over and shave him; he had to go down to the hall.

Question. What hall did he mean; Tammany Hall?

Answer. I don't know whether Tammany Hall or the other.

Question. Did you go over and shave him?

Answer. Yes.

Question. Did he say anything about the election further?

Answer. No. I heard enough.

Question. When he was being shaved, or at any other time, did you hear him say anything about the election—about his receiving any money?

Answer. I heard him once state that once he received $300 and once $500 for electioneering business, and that he spent it. Another time I heard that he boasted that no other district in the ward couldn't beat his.

Question. What did he mean by that?

Answer. I don't know what he mean. I guess he mean that they could'nt beat him; that it always had the largest majority generally in counting the votes.

Question. With whom was this conversation; did he tell this to you about getting the $300 and $500, or to some one else?

Answer. That I don't know. It was in my place; he talked so much in my place about the elections that I don't know now.

Question. Was anybody else in the barber's shop besides you?

Answer. Mr. Fitz Simmons was there and some other parties. If I ain't mistaken, he was talking to a man named ———, but I am not sure whether it was him that time; he was electioneering, too, very hard in the election.

Question. Was he electioneering on the republican side?

Answer. No; he electioneered on the democratic too. I can't say if he said that to him.

Question. Did you gather from the conversation that he received this money for the last election, or that he had on other elections received it?

Answer. I can't say; I ain't sure whether it was the first or the last election.

Question. The State or the city election?

Answer. I can't say; but I heard him say that he had received once $300 and once $500 for the electioneering business.

Question. Are you a German?

Answer. Yes.

Question. What day did this conversation take place?

Answer. I think on Wednesday after election.

Question. Did anybody else overhear what Fitz Simmons said to this party?

Answer. Well, the whole party heard it.

Question. Did he say it in a loud enough tone for the others to hear it, except you and the man to whom he was talking?

Answer. Yes; if some was there he would not trust, I guess he wouldn't say so.

Question. He trusted them all?

Answer. Yes.

Question. Did you hear him say how many votes he counted out for his party?

Answer. No, he spoke that in a low voice; I can't say; I only understand

him to say he had 'em in his hand, and then what he had in his hand he laid on the table and the others he put in his pocket. I didn't hear him say how many he put out.

Question. Do you know whether this Fitz Simmons was one of those who count the votes?

Answer. No, I don't know it.

Mr. ANTHON:

Question. When were you naturalized?

Answer. I believe it was on the 28th of October; I am not sure. I never intended to take my papers out yet, but they bothered me so long that I did.

Question. 28th of October of last year?

Answer. Yes, sir.

Question. How long have you been living in the country?

Answer. I believe since 1858.

Question. You came here in 1858?

Answer. Yes.

Question. Did you take out your papers twice?

Answer. No.

Question. Did you take out more than one set of papers?

Answer. No, I didn't need it; I came here under age; I got a citizen's paper.

Question. How old are you now?

Answer. I was 23 last April.

Question. Whereabouts do you live?

Answer. Down in the Seventeenth ward.

Question. Whereabouts in the Seventeenth ward?

Answer. In Third street, near First avenue.

Question. What number?

Answer. 113.

Question. What is your business now?

Answer. Barber.

Question. Whereabouts is your shop now?

Answer. Union Square, in the Spingler House; I work there; I don't keep a shop now.

Question. When did you give up your shop up here in the avenue?

Answer. 13th of February, I believe it was.

Question. How long altogether did you have that shop on the avenue?

Answer. Since the 5th of October.

Question. Had you been working in that shop before you kept it yourself?

Answer. No.

Question. You first saw Mr. Fitz Simmons, then, about the 5th of October?

Answer. No; I can't say how long afterwards—how many days exactly; but it was about from four to eight days afterwards.

Question. It was about three weeks before the election that you first made his acquaintance, if you made it at all?

Answer. I guess—yes; I guess about three or four weeks; I can't tell exactly when he came back.

Question. Have you had any difficulty with Mr. Fitz Simmons, either about money or anything else?

Answer. Never.

Question. Do you claim that he owes you any money?

Answer. No; not a cent.

Question. How often did you see him during that month before the election?

Answer. He got shaved sometimes twice, sometimes three, sometimes four times a week; sometimes I went over to take a drink.

Question. That was all that you saw of him?

Answer. Yes.

Question. Did you have any conversation with him about the election before the election?

Answer. No.

Question. None at all?

Answer. Well, I asked him once or twice what he thought about the election; he was always hopeful that McClellan would be elected; I only ask him once or twice.

Question. What time of the day after election was it when you went to Fitz Simmons's place?

Answer. I guess about ten o'clock—I ain't quite sure—in the forenoon.

Question. Now, tell me who were in his place when you went in there?

Answer. Well, I don't know all; I only know one by the name.

Question. Who is he?

Answer. John Finnegan.

Question. Where does John Finnegan live?

Answer. That is hard to tell; he always hangs around there; he has no home at all.

Question. Had you ever seen John Finnegan before?

Answer. Yes; before the election.

Question. What is his business?

Answer. He is a bounty-jumper.

Question. You know that he is a bounty-jumper?

Answer. Yes.

Question. How do you happen to know so many bounty-jumpers?

Answer. Well, they always talked about it.

Question. You are not in that business yourself, are you?

Answer. No, sir; I ain't smart enough, I guess.

Question. How many times have you seen this man Finnegan?

Answer. He got shaved twice a week.

Question. For how long?

Answer. Well, for about three months; then he was sick, and I didn't see him for some time.

Question. Do you know where he is now?

Answer. No; I never knew where he was, except that you could find him around Fitz Simmons's every day.

Question. Just answer yes or no.

Answer. No; I don't know where he is.

Question. Who else was there there on that day?

Answer. Fitz Simmons's friends; I didn't know him.

Question. Don't you know any one else?

Answer. One was a conductor on the Red Bird line, from Forty-second street to Grand street ferry.

Question. What was his name?

Answer. I don't know; I never asked him.

Question. Give me the name of any other person but these?

Answer. I don't know them.

Question. Do you know some of the people in the neighborhood?

Answer. Yes; I know them if I see them, but I don't know the names.

Question. How many people were present at this conversation you had with Fitz Simmons?

Answer. Five or six.

Question. And you can't give me the name of any one of them?

Answer. None, except John Finnegan; the other was conductor, to the last election; then he lost his car on account of electioneering, and he didn't do no business.

Question. Was he electioneering for Mr. Dodge?

Answer. No; for Jemmy O'Brien, I think.

Question. You are certain that it was only for Jemmy O'Brien, not for Mr. Dodge and Jemmy O'Brien?

Answer. No, sir.

Question. Who was it that Mr. Fitz Simmons was talking to when he made all these statements about what he had done?

Answer. To that conductor.

Question. You can't tell me his name?

Answer. If I ain't mistaken his first name is Mike.

Question. You don't know where he lives?

Answer. No, sir.

Question. You can't tell us anything about how to find that man?

Answer. No; very likely in Fitz Simmons's; he always hangs around there.

Question. Would you know him if you saw him?

Answer. Yes, I would.

Question. Now, just repeat that conversation again.

Answer. Well, the conductor, he said: "Say, Fitz, you always make such God damned blunders." So he said, "Hell I do! what do you mean by that?" He says, "Well, you promised so much for the election, and there's scarcely anything done."

Question. Those were the exact words that he used?

Answer. Yes.

Question. Which did he say—"You promised so much for the election," or "you promised to do so much for the election;" which did he say?

Answer. "To do," he said; and Fitz Simmons, he talked in a kind of a low voice, and then I understood again that he had it all arranged before.

Question. How long did they talk in a low voice?

Answer. Well, a few words.

Question. You didn't hear any of them?

Answer. No Then he said, "I had it all arranged before, and had some votes counted in my pocket."

Question. You are sure that he said, "I had some votes counted in my pocket?"

Answer. Yes; and, "While we was sitting there after the polls was closed I counted just as many as I had in my pocket, and what I had in my pocket I had in my hand."

Question. Are you using his words, or your own?

Answer. I use his own.

Question. He is not a German, is he?

Answer No, I guess not.

Question. Are the words that you are using now the same that he used?

Answer. Well, the words that he used I can talk them just as plain as he does; and he said: "While we were sitting after the poll was closed I counted just as many as I had in my pocket, and the others I had in my hand, and while they were engaged counting I laid them down, and the others, I put them back in my pocket; just as many I put back in my pocket as I had in my hand."

Question. Did he say all this aloud or in a low tone?

Answer. Well, that I understood again; I only now say what I understood.

Question. Well, go on: what did he say next?

Answer. Well, then the other fellow said: "If you done that you are all right."

Question. That was the whole of the conversation?
Answer. That was the whole of the conversation.
Question. Nothing more was said?
Answer. No; then he treat us.
Question. Who treated you?
Answer. Fitz Simmons.
Question. They didn't say anything about anything else?
Answer. No.
Question. Did they begin talking as soon as you came in?
Answer. No; they commenced talking afterwards; Fitz Simmons was blacking his boots, and the other fellow, he says: "Fitz;" he commenced that way.
Question. Did Fitz Simmons say what tickets those were he had in his pockets?
Answer. No, he didn't.
Question. Of course you don't know what tickets they were?
Answer. No, I don't.
Question. Did he say whether they were democratic tickets or not?
Answer. No.
Question. Did he say whether they were congressional tickets?
Answer. No, he didn't.
Question. He didn't say they were presidential electoral tickets?
Answer. No, he didn't.
Question. When you were naturalized who went down with you to the city hall?
Answer. Mr. Schaffenberg.
Question. Who was he?
Answer. A tailor, living in Thirty-second street near Second avenue, between First and Second.
Question. You say Fitz Simmons had a conversation with a bounty-jumper in your barber-shop. Did all the bounty-jumpers in the district come there to be shaved?
Answer. No.
Question. You don't think you did more business with bounty-jumpers than other barbers?
Answer. I don't.
Question. Tell us what part of your business was done with bounty-jumpers?
Answer. Well, most all those young fellows round there are bounty-jumpers; I had a dozen, I suppose, that came into my shop.
Question. You didn't advertise as a bounty-jumpers' shaving shop, did you?
Answer. No. I couldn't kick 'em out when they came in.
Question This man that was talking to Fitz Simmons in your place, did you think he was a bounty-jumper because he came to your shop?
Answer. No; he told me once that he was.
Question. How long had you known this bounty-jumper—the one that had the conversation with Fitz Simmons?
Answer. He was not one—not that I know of; he was a conductor.
Question. I mean the one that had a conversation with Fitz Simmons in your shop—bounty-jumper No. 2.
Answer. Well, he ain't No. 2; that is the only one I mentioned.
Question. That is No. 1?
Answer. Yes.
Question. How long had you known that bounty-jumper?
Answer. Since I am up there. About a week after I lived there he came back the first trip.
Question. And Mr. Fitz Simmons was out of town when you took that place?
Answer. Yes, sir.

Question. How long?

Answer. I guess he came back about five days or a week afterwards.

Question. How long after that was it that there was the conversation about the election in your store?

Answer. Well, the first conversation what I heard, it was about fourteen days before the election.

Question. You were talking about some other conversation that you heard in your store?

Answer. That was not about the election at all, except that some of his friends asked him what he had received for electioneering.

Question. What time was this?

Answer. It was after the November election. Once I heard him say that he received $300 and once $500. I don't know which he received first, but I heard it stated several times.

Question. Who did he say that to?

Answer. To one of his party, I believe; I don't know his name.

Question. Did he say who he received it from?

Answer. No.

Question. He didn't say from Mr. Dodge?

Answer. No.

Question. Didn't say for what election it was?

Answer. No.

Question. Did he say for what purpose it was?

Answer. For electioneering, he said.

Question. Didn't say anything more about it than that?

Answer. No.

Question. What brought you here to-day?

Answer. Mr. Phelps told me I should come here to-day.

Question. When did Mr. Phelps tell you that?

Answer. Yesterday.

Question. Where did you see him?

Answer. Down in his office.

Question. Why did you go down to his office?

Answer. Well, Mr. Burchell told me Mr. Phelps wanted to see me.

Question. When was that?

Answer. Yesterday morning.

Question. Where?

Answer. In the shop.

Question. Did he go to see you?

Answer. Yes.

Question. Did you expect him to come there?

Answer. I didn't expect him yesterday.

Question. You expected him to come at some time?

Answer. Yes.

Question. Why?

Answer. Because he knew all that I told; and when I moved from there he told me I should tell him where I went to.

Question. When did he tell you that?

Answer. When I left there.

Question. Who did you tell about it?

Answer. I told Mr. Burchell.

Question. How did he find out what you knew?

Answer. I don't know how long it was after the election a gentleman came to me—my agent—and inquired if I was a citizen. I don't know if it was after New Year. He asked me a few questions, and finally asked me for who I voted for Congress, and I told him I voted for Mr. Dodge.

Question. Who was he?
Answer. Mr. Van Cleek, I think; he is my agent.
Question. Were you here the last meeting night?
Answer. No; I never was here before.
Question. Do you remember what his first name was?
Answer. No; I never could read his name on the receipts.
Question. Do you know where he lives?
Answer. No; I only know where his office is.
Question. Where is his office?
Answer. In the lumber yard in Fifty-fifth street, I believe—Schuyler's lumber yard.
Question. He is in Schuyler's lumber yard, is he?
Answer. He is a book-keeper there.
Question. Well, he came there, and what did you tell him, or what did he ask you rather?
Answer. He asked me if I was a citizen, and some such questions, and I said yes; and then he asked me for whom I voted for Congress. Well, I told him I voted for Mr. Dodge. Then he said, "If you voted for Mr. Dodge you are all right," and so he went out; and the next day Mr. Burchell came to me and asked me if I was a citizen and who I voted for, and I told him. I knowed him before; he was one of my customers. I said, "Mr. Burchell, how is that; do you intend to raise your rent for those who voted against Mr. Dodge?"
Question. That was the first thing that struck your mind when he asked you the question?
Answer. No, it was not.
Question. Why did you ask him about it?
Answer. Well, it struck my mind because my agent asked me.
Question. You thought they were going to raise the rent?
Answer. Yes, I thought so; then I asked Mr. Burchell, and he said no. He said, "We think there must be a fraud committed in the State election, and we hardly know how it is; so I want to find out." And I said, "I know there is a fraud committed, and I know how it is committed;" then I told him. I thought the election was over, and nobody could alter that.
Question. Your rent was not raised, was it?
Answer. No.
Question. Who did you vote for at the alderman's election?
Answer. Well, I had to vote for Mr. O'Brien; he made me vote for him; that conductor, he gave me the tickets, and I had to vote for him.
Question. Do you know whether Mr. O'Brien, Jemmy O'Brien, is a republican?
Answer. No, I guess not.
Question. Is he a Dodge man?
Answer. No.
Question. Who did he go for for Congress?
Answer. That's what I don't know. I never saw Mr. O'Brien.
Question. Didn't he go for Mr. Barr for Congress?
Answer. That's what I don't know.

Mr. PHELPS:

Question. You said that a good many bounty-jumpers came to your shop; do you know where they frequented?
Answer. Well, that's hard to tell; so many all hang round in Thirty-second street, from First to Second avenue.
Question. Did you ever see more than one of them at one time in Fitz Simmons's place?

Answer. Well, that John Finnegan and another young fellow, he hangs always round there too.
Question. Is that other young fellow a bounty-jumper?
Answer. Yes.
Question. What is his name?
Answer. Given, I believe.
Question. Just spell it.
Answer. I can't.
Question. Are you married?
Answer. Yes.
Question. What do you speak with your wife?
Answer. German.
Question. Which do you speak best, German or English?
Answer. German.

Mr. ANTHON:

Question. You say you have seen two bounty-jumpers in Fitz Simmons's?
Answer. Yes.
Question. Can you tell me how many bounty-jumpers at a time you have seen in your barber shop?
Answer. Sometimes in a party, five or six.

BERNHARD RANFT.

Attest: JOHN R. BRADY, *J. C. P.*

John R. Hargin recalled.

Mr. WATERBURY:

Question. What time was it that you closed the polls on the day of the November election?
Answer. Ten minutes past sundown, as near as I can judge.
Question. How many voters were there there waiting to vote?
Answer. I told you before, I couldn't possibly say; there might have been fifty, less or more.
Question. That was in the room; how many outside?
Answer. I haven't said directly in the room.
Question. Do you mean in the line?
Answer. Yes, as near as I can judge.
Question. From the appearance of the men, what should you judge they were, the same kind of men that had been voting there during the day?
Answer. As a general thing.
Question. Do you believe they were republican voters?
Answer. I didn't ask them.
Question. Do you believe so?
Answer. I have no reason to believe.
Question. Do you think they were voting for Lincoln or Dodge?
Answer. I have no right to presume any man was going to vote one way or the other.
Question. I didn't ask you what you presumed. Do you believe that any man in the line voted for Lincoln or Dodge?
Answer. I say that I didn't presume there was any. I will answer you directly. I don't believe any person in the line was going to vote for either one or the other.
Question. Which of the canvassers appointed were present when the polls were closed?

Answer. John Connolly, and I believe John List, was present in the room I am not positive, but I know that prior to the finishing of the sealing of the boxes he was in the room.

Question. Those two?

Answer. Yes, those two, sir; there was no third canvasser at that time.

Question. You were appointed canvasser?

Answer. Yes, sir.

Question. Who appointed you?

Answer. I was appointed by John Connolly and John List, on their personal responsibility.

Question. Who did you vote for for President?

Answer. I voted the electoral ticket that I understood, as a general thing, was to vote for Abraham Lincoln.

Question. Did you vote the whole Union, or republican ticket, as it is sometimes called?

Answer. No, sir, I didn't; I exercise that franchise always.

Question. Did you vote the republican, or Union State ticket?

Answer. I did, sir.

Question. Did you vote for Mr. Dodge for Congress?

Answer. I did, sir; I will tell you, the only deviation was for Michael N. Salmon.

Question. Was there any other republican present at the time you were appointed, except yourself and Mr. Jenny, who was a resident of that district, and who had voted for the electoral ticket, and for Dodge for Congress?

Answer. I can't answer, sir; I don't know; I couldn't tell you there were, because I didn't open men's ballots.

Question. You don't know that there was any other man present?

Answer. Not as you gave the question.

Question. Do you know that, except you and Mr. Jenny, there was another Lincoln voter present at the time you were appointed canvasser?

Answer. I don't know, so far as that's concerned.

Question. How many persons were present at the time?

Anwser. The room was full at the time, as close as it could be, except they came inside of the counter, where the boxes had been previously placed; the boxes were removed from the counter prior to my appointment; my understanding was that they shouldn't be moved until the canvassers took possession.

Question. Who were they removed by?

Answer. I believe it was by order of Mr. Connolly.

Question. Where were they removed to?

Answer. Inside the counter, and placed on the floor, piled one on top of another.

Question. Who else was behind the counter at that time?

Answer. The clerks, Mr. Jenny and myself, John Connolly and John List.

Question. No one else besides the inspectors, canvassers, and clerks?

Answer. Not at that time.

Question. They were not taken outside of the counter?

Answer. No, sir.

Question. Didn't I hear you say something about being sleepy about four o'clock in the morning?

Answer. I don't remember making use of the language.

Question. Didn't say that you got sleepy, or tired, or exhausted?

Answer. I probably may have told you that I got exhausted.

Question. Up to four o'clock in the morning what was your condition?

Answer. The same as at present, sober and sociable. I desire that answer to be amended, if you please, if it is not too late; inasmuch as I saw things that I believed to be frauds, it was my business to act as I thought proper, so long

as I had no power or assistance; I thought proper to act as I thought well; I answer now emphatically that I was not sleepy.

Question. Then what difficulty did you tell me took place about four o'clock?

Answer. I told you that at four o'clock, owing to the interference of parties coming in there—some of them going inside of the counter, others standing over the counter—persons that didn't live in the district, and had no right to come there; they were not inspectors or canvassers, and were not sworn in; they came in behind the counter, sat down in a chair, took a pencil, and attempted to take upon themselves the correction of the polls and the documents generally.

Question. Did they handle any of the votes?

Answer. The votes; some of them were destroyed.

Question. I ask you if they handled any?

Answer. I didn't see them handle any.

Question. Who kept the tallies of that canvass?

Answer. A man by the name of Nicholson; and I have since learned that the other man was Macklin—I have since learned by his acting in the same capacity.

Question. The two clerks kept the tallies?

Answer. Yes, sir, sometimes they did; sometimes they were absent.

Question. Did either of the canvassers keep a tally?

Answer. I kept a private memorandum of my own.

Question. What have you done with it?

Answer. It is got worn out in my pocket.

Question. Have you got it with you now?

Answer. I believe not, sir; I am rather afraid you have got it—out of the poll-list the other night. [Referring to poll-list used on witness's former examination.]

Question. Who made out the returns?

Answer. They were partially made out by one of the clerks and Mr. Connolly.

Question. Was the canvass concluded by four o'clock?

Answer. I believe it was completed until those other parties interfered.

Question. It was completed, then, before they interfered, so far as counting the votes?

Answer. So far as I knew, it was.

Question. At four o'clock the votes had been counted?

Answer. Yes, sir; and the returns made out prior to my retiring, which was about four o'clock.

Question. And it was after the votes were counted and the returns made out that those outside parties came in behind the counter?

Answer. Yes, sir.

Question. Did I understand you that the difficulty was about the number of votes on the poll-list?

Answer. It was, sir; and there was also a difference in my memorandums and the returns generally.

Question. What was the difference between your memorandums and the returns?

Answer. Not having the memorandums, I can't say now what the difference was.

Question. Don't you remember a single detail?

Answer. Not sufficiently to swear by.

Question. On what ticket was the difference?

Answer. I can't say, sir; I know there was a difference in the State and county ticket, and in the congressional ticket; and there was a slight deviation—I think there was one or two votes—in the supervisor's ticket.

Question. What was the difference on the congressional ticket?

Answer. I don't remember, sir; I know there was some, but what it was I don't remember.

Question. Do you remember how large it was?

Answer. I do not, sir.

Question. Did you sign the returns before you left?

Answer. I signed them in blank.

Question. What time did you sign them?

Answer. Prior to the rising of the parties from their seats, and the picking up of papers and documents generally.

Question. What time was that?

Answer. In the neighborhood of four o'clock in the morning.

Question. When did you next go to the Eighteenth ward station-house?

Answer. Immediately after leaving there I went in company with an officer; from there I went direct home; I got permission of the captain to have the officer accompany me home.

Question. When next did you go to the Eighteenth ward station-house?

Answer. I have often been there.

Question. When did you next go there?

Answer. That is more than I can answer; I have been probably there three or four times a week usually; yes, I was there the next afternoon.

Question. When was it that you saw those poll-lists, when you said they were altered, or fixed up, or something—I don't know what your language was; when was it that you saw the poll-list, as you testified on your direct examination, and found that they had "fixed them up," as you said?

Answer. On the day of the county canvass.

Question. Did you see them at the Eighteenth ward station-house on that day?

Answer. No, sir; I didn't see them afterwards at all, to my knowledge, until I saw them in the presence of the board of county canvassers.

Question. Didn't you testify, in your former examination, that you saw them the next day at the Eighteenth ward station-house, and you found they had been changed?

Answer. No, sir; I told you I saw the returns there, or language similar to that; I didn't tell you I saw those.

Question. After you commenced canvassing, which ticket did you first canvass?

Answer. The electoral was first.

Question. What did you canvass next?

Answer. The State.

Question. What next?

Answer. Congress.

Question. What next?

Answer. Supervisor.

Question. What next?

Answer. City and county.

Question. What next?

Answer. I don't remember; there were five boxes; I forget now what the other was, if there was any—electoral, State, Congress, city and county, supervisors; yes, there was, I think, a box for assembly; that was counted the third.

Question. Counted before Congress?

Answer. No, sir; after Congress.

Question. Fourth, then?

Answer. Yes, I will correct myself; it was counted fourth.

Question. In what way did you proceed in canvassing these several tickets; did you open the box and count the whole number in the box without opening them?

Answer. Yes, sir.

Question. Did you do that with each ticket?

Answer. Yes, sir.

Question. Was the number of tickets made to agree with the poll-lists before they were opened?

Answer. No, sir. There was no talk about the tallies till after the opening of the tickets. The poll-list was not referred to as they were counted.

Question. Did anybody keep a memorandum of the whole number of tickets?

Answer. The poll-clerks did.

Question. Were there any double tickets?

Answer. There was, sir.

Question. For which ticket?

Answer. In the congressional box.

Question. How many double tickets?

Answer. There were about eighteen or thereabouts; not less than eighteen, I think.

Question. Were any of the tickets in the congressional box destroyed?

Answer. I destroyed one, sir; it was afterwards counted.

Question. Were any of the tickets in the congressional box destroyed so that they were not counted?

Answer. Not to my knowledge.

Question. Then all the tickets in the box were counted?

Answer. Yes; I believe the one that I destroyed—I believe it was destroyed according to law, yet it was counted.

Question. As you are an expert on our law, how do you destroy a ticket correctly?

Answer. By tearing it. If I find one within another I have a right to destroy one.

Question. Can you refer me to the provision of the laws of this State which authorizes one inspector of election to destroy a ticket without the action of the board?

Answer. I believe the language says "it shall be destroyed."

Question. Isn't the canvass to be made by the board of canvassers?

Answer. It is, sir.

Question. Is it your opinion that one canvasser has a right to take one ticket and destroy it without the consent and against the wishes of the other canvassers?

Answer. I believe, sir, if one inspector finds a ballot enclosed within another, and announces the fact to the other inspectors, that the law actually covers his position in destroying it. That is my belief, and I acted upon it.

Question. I understand you to say distinctly that there was no ticket in the Congress box that was not counted?

Answer. There was not a single ticket, to my knowledge, in that box prior to its opening, but was counted after it was opened and put out on the table.

Question. The whole number of tickets were counted?

Answer. The whole number which was first counted and the whole number after being counted didn't correspond. That made the division as to the number.

Question. What didn't correspond?

Answer. The number of tickets prior to their being opened didn't correspond.

Question. What was the difference?

Answer. I don't remember.

Question. Were there any Congress tickets found in any other box but the Congress box?

Answer. There was, I believe, one or two.

Question. Were they counted?

Answer. They were afterwards added to the number for Congress.

Question. And they were all counted?

Answer. I don't remember, sir; I know there was some, but what it was I don't remember.

Question. Do you remember how large it was?

Answer. I do not, sir.

Question. Did you sign the returns before you left?

Answer. I signed them in blank.

Question. What time did you sign them?

Answer. Prior to the rising of the parties from their seats, and the picking up of papers and documents generally.

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Answer. The electoral was first.

Question. What did you canvass next?

Answer. The State.

Question. What next?

Answer. Congress.

Question. What next?

Answer. Supervisor.

Question. What next?

Answer. City and county.

Question. What next?

Answer. I don't remember; there were five boxes; I forget now what the other was, if there was any—electoral, State, Congress, city and county, supervisors; yes, there was, I think, a box for assembly; that was counted the third.

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Question. In what way did you proceed in canvassing these several tickets; did you open the box and count the whole number in the box without opening them?

Answer. Yes, sir.

Question. Did you do that with each ticket?

Answer. Yes, sir.

Question. Was the number of tickets made to agree with the poll-lists before they were opened?

Answer. No, sir. There was no talk about the tallies till after the opening of the tickets. The poll-list was not referred to as they were counted.

Question. Did anybody keep a memorandum of the whole number of tickets?

Answer. The poll-clerks did.

Question. Were there any double tickets?

Answer. There was, sir.

Question. For which ticket?

Answer. In the congressional box.

Question. How many double tickets?

Answer. There were about eighteen or thereabouts; not less than eighteen, I think.

Question. Were any of the tickets in the congressional box destroyed?

Answer. I destroyed one, sir; it was afterwards counted.

Question. Were any of the tickets in the congressional box destroyed so that they were not counted?

Answer. Not to my knowledge.

Question. Then all the tickets in the box were counted?

Answer. Yes; I believe the one that I destroyed—I believe it was destroyed according to law, yet it was counted.

Question. As you are an expert on our law, how do you destroy a ticket correctly?

Answer. By tearing it. If I find one within another I have a right to destroy one.

Question. Can you refer me to the provision of the laws of this State which authorizes one inspector of election to destroy a ticket without the action of the board?

Answer. I believe the language says "it shall be destroyed."

Question. Isn't the canvass to be made by the board of canvassers?

Answer. It is, sir.

Question. Is it your opinion that one canvasser has a right to take one ticket and destroy it without the consent and against the wishes of the other canvassers?

Answer. I believe, sir, if one inspector finds a ballot enclosed within another, and announces the fact to the other inspectors, that the law actually covers his position in destroying it. That is my belief, and I acted upon it.

Question. I understand you to say distinctly that there was no ticket in the Congress box that was not counted?

Answer. There was not a single ticket, to my knowledge, in that box prior to its opening, but was counted after it was opened and put out on the table.

Question. The whole number of tickets were counted?

Answer. The whole number which was first counted and the whole number after being counted didn't correspond. That made the division as to the number.

Question. What didn't correspond?

Answer. The number of tickets prior to their being opened didn't correspond.

Question. What was the difference?

Answer. I don't remember.

Question. Were there any Congress tickets found in any other box but the Congress box?

Answer. There was, I believe, one or two.

Question. Were they counted?

Answer. They were afterwards added to the number for Congress.

Question. And they were all counted?

Answer. Yes, sir. I understood afterwards they were scattering votes; but they were put in the Congress box and numbered with them.

Question. You say that these double tickets were all counted?

Answer. They were, sir, counted as two—a ticket containing two prior to its opening.

Question. And the number of votes counted in that district for President was five hundred and twelve, was it not?

Answer. So the poll-list returns it now.

Question. And the number of State tickets was five hundred and twelve?

Answer. I believe it was, sir.

Question. And the number of Congress votes on the poll-list was four hundred and ninety-three?

Answer. I can't say now. I will not answer the question as knowing the fact I can't say.

Question. Where is that poll-list you had here the other night?

Answer. In my possession.

Question. At your house?

Answer. No, sir.

Question. Have you got it here?

Answer. It is here.

Question. Will you produce it?

Answer. I will; but it must remain in my possession, (producing a book.)

Question. Is that the poll-list of the November election that you have in your hand?

Answer. It is a copy, sir.

Question. Where did you get the copy from?

Answer. From the county clerk's office it came.

Question The thirteenth district of the Eighteenth ward?

Answer. Yes, sir

Question. November election, 1864?

Answer. Yes, sir; so it appears.

Question. What was the whole number of electoral tickets?

Answer. Five hundred and twelve is given here.

Question. What State tickets?

Answer. Five hundred and twelve is given here.

Question. What of the Congress tickets?

Answer. Four hundred and ninety-one is given here.

Question. Or four hundred and ninety-three?

Answer. Four hundred and ninety-one is given here.

Question. Is that the same one as you had the other night?

Answer. Yes, sir.

Question. What are the city and county tickets?

Answer. It is given here as five hundred, sir.

Question What is the number of assembly?

Answer. Five hundred is given here.

Question. Those are the number of persons voting, according to that poll-list?

Answer. Yes, sir, so I believe.

Question. Can you tell me how many votes Mr. Brooks had according to the canvass in that district?

Answer. No, sir; I haven't got my memorandum here, and I haven't—that is, I might know by——

Question. Is it three hundred and thirteen?

Answer. The first time it was given it was two hundred and eighty, I think.

Question. What number of votes did Mr. Dodge receive in that district?

Answer. I don't know whether it was fifty-six or sixty-six. There is a six about it, I think.

Question. What was the number for Mr. Barr?

Answer. That I positively can't tell you.

Question. Did anybody else receive any votes for Congress in that district except those three gentlemen—Mr. Dodge, Mr. Barr and Mr. Brooks?

Answer. I haven't seen any ticket for any person else.

Question. There was no other canvass?

Answer. There was no other but for those three. That is emphatic.

Question. Now, sir, don't you know that, according to the returns you made out, there were only four hundred and eighty-seven votes returned for canvass?

Answer. I don't think anything of the kind.

Question. Were there any blank votes for Congress? tickets that had nobody's name inside?

Answer. There were not, sir.

Question. If there were four hundred and ninety-one names on the poll-list of persons voting the Congress ticket, and there were only four hundred and eighty-seven votes for Congress voted, will you tell me what wrong was done in counting both of the tickets where tickets appeared to be double?

Answer They might, sir, in my opinion, depending upon the politics of the board of canvassers; inasmuch as a Congress ticket might have been put in a republican box, and another ticket which should have gone in the box where the Congress ticket was first placed had went into the box, if a majority of the canvassers were opposed to either of the candidates, they might consider them as what is called scattering. Such a movement, I believe, has been made. I have heard of it, though not a witness of it. I determined it should not occur at that time.

Question. Does not the fact that the whole number of votes canvassed was less than the whole number of votes polled show that the votes were not, in fact, double?

Answer. I don't think so, sir, for this reason: that those parties who entered the room—I am speaking of my district, not in a general allusion as to the canvass in other districts—inasmuch as one of those parties who came in there did have the poll list, and have the necessary writing materials, and no person opposed to them in politics to look after them, they may have, and I believe did so arrange the returns and the books as to make them come to terms one way or the other; they may have had this thing in view, so as to make them come within the tally. I might draw my conclusions from what I knew of the soldiers' votes.

Question. How many soldiers' votes were there that day?

Answer. I believe not less than twenty-three, more or less.

Question. Did you see all those votes opened?

Answer. There was one, I believe, I didn't see opened.

Question. You saw all the rest opened?

Answer. I did, sir.

Question. There were none of them had a full set of tickets in it, were there?

Answer. A full set? No, sir.

Question. There were none that had a Congress ticket, were there?

Answer. I didn't see any Congress tickets.

Question. Do you say there was none of them—do you swear to that?

Answer. I swore to the fact that I did not see one.

Question. Did you see them all opened, and see the tickets that were in them?

Answer. All but one, sir; those which were opened in my presence; and I seen all but one of them, and all that they contained. There may have been in this single one, but I doubt whether there was.

Question. How many persons of those who voted for Congress failed to vote full ticket—besides the soldiers' votes, I mean?

Answer. Quite a number.

Question. How many?

Answer. I couldn't tell you now, unless you refresh my memory.

Question. How many persons came to the polls and voted in person that day ho did not vote for Congress?

Answer. Between five and seven, I think, as near as I remember now; that's y judgment.

Question. Why did you sign the canvass in blank?

Answer. I was so requested by the chairman, and also by one of the clerks, ho had officiated in that capacity before, and said it was customary.

Question. Which one of the clerks said that?

Answer. Macklin.

Question. How long before you left the place was it that you signed the re-ırns in blank?

Answer. A full half hour, I think, or thereabouts.

Question. What was done there after you signed the returns in blank?

Answer. The conversation which I have given you took place; those persons ıme in; they had all the table cleared, except a few envelopes and things that ıd come on the soldiers' votes, and some scraps of paper—I don't remember hether they were affidavits, or blank affidavits, of persons who were forced to vear their vote in or not. There was a number of scraps of paper, and all ıe official papers were collected, and we were about finishing them up and seal-g them in the usual form—at least, I shouldn't have said sealing them, but ıcking them up.

Question. Did they commence filling in the returns before you left?

Answer. They had made a portion of the returns; they were incorrect, and ıey wanted to regulate; therefore I considered we were signing them in blank ecause they had not been filled.

Question. Then they were partly filled?

Answer. Yes, sir.

Question. How much of them was unfilled?

Answer. I can't say, sir.

Question. How much do you think?

Answer. I can't think about it at all; I have no thought on that question.

Question. How much of the returns do you believe were unfilled when you gned them?

Answer. I have no belief on the question.

Question. Was there more than one line?

Answer. There may have been.

Question. Do you say there was more than one line?

Answer. I will not say anything at all about it, sir.

Question. But they were partly filled up when you signed them?

Answer. They were partially filled; yes, sir; some of them.

Question. Did they finish filling them in before you left?

Answer. No, sir.

Question. What were they engaged in doing at the time you left?

Answer. They were engaged in consultation among themselves—those parties ıat came in, and those parties that acted in that capacity.

Question. Who were the persons that came in?

Answer. William Beard, Thomas Owens, Nicholas Cowen, and Thomas Kelly. am not so particular about Kelly; I am not so particular also about Cowen; ut I am more particular about Owens.

Question. Who else?

Answer. I have not spoken about any one else.

Question. Those were the only ones that came in?

Answer. Those were the only persons who directly called my attention.

Question. At the time you signed the returns was there any other part of them unfilled except the total number of votes polled for the several tickets?

Answer. Yes, sir.

Question. What other part?

Answer. I can't say, sir.

Question. Was the vote for the several candidates for the several offices voted for filled in before you signed the returns?

Answer. No, sir.

Question. None of them?

Answer. You asked the question severally; I say no, sir.

Question. Were any of them filled in?

Answer. There may be.

Question. I ask you whether there was or was not any of them filled in?

Answer. I told you there was a portion of them, of course.

Question. What portion?

Answer. I can't say, sir.

Question. Was it a small portion or a large portion?

Answer. It may be either one or the other, I presume.

Question. Are you unable to say whether it was a small or a large portion?

Answer. I can't say, sir.

Question. Times good in your business now, or not?

Answer. Pretty good at present; I have got plenty to do.

Question. Have you had plenty to do all the fall?

Answer. Yes, sir.

Question. Last fall?

Answer. Yes, sir.

Question. Done any public work?

Answer. No, sir, save the appointment of register, and that appertaining to it.

Question. Have you done any upholstery work for the national, State, or city government within the last year?

Answer. No, sir—yes, sir; I hung two sheets for a friend of mine; I happened to put up some sheets in the board of aldermen about a year ago.

Question. Have you had any talk about doing any upholstery work for the public?

Answer. No, sir.

Question. Have you had any talk with anybody about your appointment to any place?

Answer. Yes, sir.

Question. Who?

Answer Several persons, gibing and asking me if I had, and I told them I was not fool enough to want any place.

Question. Have you had one?

Answer. No, sir.

Question. Do you expect to get one?

Answer. My expectations I don't know anything about. By the way, I would like that answer to be confined to this present arrangement. Of course, a year ago I was promised a situation, but didn't get it.

Question. Have you had within the last eight months, or have you talked with anybody about getting appointed?

Answer. No, sir.

Question. Didn't you do a little upholstery work over in the navy yard?

Answer. I never stood in the navy yard but three or four times, and that must be seven or eight years ago.

Question. Did you never work on any vessels of the navy?

Answer. I worked upon the "Quaker City," but that was before the war broke out.

Question. Don't you consider that place that you had in the enrolment bureau an office?

Answer. In what light do you take it as an office?

Question. You are asking me a question now.

Answer. I want to know how I am to answer your question. I don't consider it an office.

Question. What do you consider it?

Answer. I consider it a day's labor, sir; I was working by the day.

Question. Then I understand you that you don't consider persons paid by the day as holding office?

Answer. No, sir, I do not. I held no official authority to prove I was an officer; I had no power of arrest—no power to do one thing or another; I was merely a clerk in the enrolment bureau—the marshal's enrolling officer.

Question. A clerk in any public office has no power of arrest, has he?

Answer. Well, at the time that the enrolment was originally made under the State, they were officers.

Question. Don't you consider that a member of Congress holds an office?

Answer. Yes, I presume so.

Question. Don't you consider that a member of assembly holds an office?

Answer. Yes, sir.

Question. Is he not paid by the day?

Answer. Yes, sir; he is paid by the day.

Question. Then the fact that he is paid by the day doesn't prevent his holding office?

Answer. No. He is not in the position of a clerk; he is in the government.

Question. Do you say now that you have held an office within a year past, or not?

Answer. I don't consider that I have held an office within a year. It is customary to use the title of enrolling officer, but I don't consider that he is an officer.

Mr. PHELPS:

Question. I want to know if you consider that there was any neglect on the part of the clerks of the board of canvassers?

Answer. There was, sir.

Question. What was that?

Answer. One clerk could sometimes keep up with the action of the canvassers, and at times the other couldn't—that is, one would fail to have his accounts and tallies ready, while the other one would be so far ahead of him that he would have to speak, so as to keep up with the other. Mr. Macklin could always get ahead of the other man.

Question. What are the politics of Mr. Macklin?

Answer. I believed him to be a democrat, and do so still.

Question. Was there any opportunity during the evening to change the poll-list?

Answer. Yes, sir.

Question. How?

Answer. Well, Nicholson was not smart enough in counting. The other man seemed alive to his business—what I mean by that, he seemed equal to the task he had to perform, and was pretty quick and didn't give the other man "a show," as they say—didn't give him a chance at all.

Question. How many soldiers' votes were there polled?

Answer. There were, I believe, twenty-three.

Question. How many appear on the poll-list?

Answer. Six.

Question. How do you account for the difference?

Answer. I can't, for the fact of its appearing upon the poll-list—those double votes which were opened in the evening, and there being no congressional tickets within the soldiers' ballots opened in my presence, and I was present when all but one was opened.

Question. Have you heard anybody say anything about it since, about soldiers' votes being held back?

Answer. I have, sir; several parties.

Question. Can you give the names of any?

Answer. I can, sir.

Question. Give their names.

Answer. Charles W. Jennings, Michael Hughes, Christopher Higgins, (who has since threatened me because I used his name,) John Looram, and general conversation with other parties who I didn't think it necessary to take their names.

Question. Do you know any Lieutenant Kelly?

Answer. I know a person who calls himself Jeremiah Kelly, who has said that he has officiated and held an appointment as an officer in the 17th New York, and who says he is a lieutenant.

Question. How many interviews have you ever had with this man?

Answer. I have had a number.

Question. Did you have any conversation with him in reference to the election?

Answer. I did, sir.

Question. In company with one Patrick Smith did Lieutenant Kelly say anything about soldiers' votes?

Answer. He did, sir.

Question. Can you give me the substance of the conversation?

Answer. I can, sir. I was in company with Mr. Smith down in Greenwich street—it was after he had a little bereavement in his family, and I got acquainted with him through that. I was going down to Patten's, in Broadway, to buy some covering material; he said he wanted to go down town; I asked him where, and he said Washington market. I hadn't anything particular to do, and I went down with him to Washington market, and went to the stand in the market where his father and I think it was his mother was there; they sell poultry there. He was not there that day at the stand, and we walked up together with a man named Brown, who was also a member of the same regiment—the same Brown was with us the entire time—and we came up to Broadway, to a building near either Dey or Courtland street there, went up stairs one or two flight, and went in an office where a person named Lieutenant Glossey (they called him) was, who had also went out in that regiment, and we found him there. In the course of the conversation this Smith said he didn't know how it was that Stephen O'Hara didn't deposit his ballot. Kelly said "that is nothing, it didn't answer the purpose." Says he, "What did you do with the votes you brought along?" He says, "I took care of them;" and he went into the details of how in some places the republican inspectors told him that they didn't want no such work as that, and questioned as to whether the people lived in the place. One place down in the Fourth ward, he said, one man got upon a bench, and wished to God Almighty that there was one hundred more of them. He spoke about coming up town in several districts—that he deposited two hundred and odd votes in the eighth congressional district. I myself asked him particularly about that.

Question. Where was he sitting when you heard that?

Answer. He was sitting in the office with Lieutenant Glossey and Patrick Smith.

Question. Was Lieutenant Glossey there?

Answer. He was, sir; but he was engaged in a conversation with William Brown.

Question. You are sure he used the words two hundred?

Answer. Yes; two hundred and odd. I asked him the fact myself, and I asked him how it was he came to deposit them in a district without any of the persons living there. Smith also told him it was a damned nice piece of business. Said I, "Were there any congressional tickets in it?" And he didn't answer me, and Smith repeated the question to him, and asked him if there were any congressional tickets in those votes; and he said that "Mr. Brooks knew all about that," or some expression similar to it—or "He knew about it."

Question. Where did this Patrick Smith live?

Answer. 249 East Eighteenth street.

Question. How long had he lived there previously?

Answer. Well, he was in the army, I understood him to say, eighteen months. At the time he went away he had lived on the same floor. He described about his wife and his children knowing his voice. His wife heard him speak, and jumped up and opened the door for him; so he must have lived in that house prior to his going in the army.

Question. Where is Patrick Smith now?

Answer. He went to join his command.

Question. How happened he to be home?

Answer. He was on furlough. He was one of the foragers connected with his regiment—a battery.

Question. Do you know whether this Lieutenant Kelly is really a lieutenant?

Answer. I heard him speak about getting up a set of colors for his regiment.

Question. Does he wear soldier's clothes?

Answer. Not in my presence. I believe he had a soldier's vest on.

Question. Did this man Smith wear soldier's clothes?

Answer. He was in a zouave dress partially.

Mr. WATERBURY:

Question. How many soldiers' votes did you say you saw voted?

Answer. There were twenty-three voted; I saw all but one.

Question. How do you know there were twenty-three voted?

Answer. Because I seen all the affidavits; and I seen the envelope of the one when I came in after being out in the water-closet, and also at the time I went to vote. There were no soldiers' votes polled from the time of my return. There were twenty-two polled prior to my going out.

Question. How many times were you absent that day during the election?

Answer. Twice.

Question. Where did you go during those times?

Answer. Once to speak to Mr. Irving, the other time to get some little refreshments, and to go out to deposit my vote. I voted and went to the water-closet at the same time.

Question. What was done with those twenty-two soldiers' votes received while you were there—were the envelopes opened?

Answer. Not prior to their being presented—the inner one wasn't.

Question. Were they opened by either of the inspectors?

Answer. They were opened by Mr. Jenny, as chairman.

Question. What did he do with the tickets?

Answer. He deposited them each in the box.

Question. Then why do you say that only six of them were voted?

Answer. The appearance of the polls only shows six.

Question. That is, they have omitted to mark on the poll-list that they were soldiers' votes?

Answer. No, sir; I mean to say that none of those six are credited as persons appearing and voting in person, taking it as the poll-list gives it, and having voted less or more of the whole tickets.

Question. Can you say what were the names of the soldiers whose votes were polled?

Answer. You have got them right before you there, (pointing to the poll-list.)

Question. How are they marked?

Answer. You will see them marked with their regiments, and only voting the presidential and State tickets; you will see the name of the regiment marked after them:

Question. Do you know Francis Gusler, 266 avenue A?

Answer. The name is on there, sir.

Question. Do you know him?

Answer. I know no man except myself. I may be acquainted with him and not know him.

Question. Are you acquainted with him, then?

Answer. I can't answer it, as you have got my memorandum.

Question. Do you know a man named Patrick Fender?

Answer. I have seen a person by that name; further than that I can't answer you.

Question. Is he a soldier?

Answer. I can't answer you because you have got my memorandum.

Question. Do you know a man by the name of Charles Thimarga, or something like that?

Answer. If you will pronounce the name I will answer; there is not a man in the district as you pronounce it.

Question. Do you know a man by the name of William Cashin?

Answer. There is such a man living in the district; you have got my memorandum at present, and I cannot tell you without the memorandum.

Question. Do you know a man by the name of John H. Murphy?

Answer. There is such a man in the district—one or two of the same name.

Question. Where does he live?

Answer. You have got the memorandum.

Question. Can't you tell without it?

Answer. I cannot.

Question. Do you know a man named Lawrence Hagan?

Answer. There is such a man in the district.

Question. Where does he live?

Answer. You have got my memorandum, sir.

Question. Do you know a man by the name of James Rusk?

Answer. There is such a man, sir.

Question. Where does he live?

Answer. You have got the memorandum, sir.

Question. Can't you answer without it?

Answer. No, sir.

Question. Do you know a man named Bartlett O'Neal?

Answer. I think I do.

Question. Where does he live?

Answer. You have reference to the street inspector, haven't you?

Question. I don't know; it is put down here as a soldier's vote.

Answer. It may be.

Question. Do you know him personally?

Answer. I don't presume I do; I may: I know there is a man by the name in the district.

Question. Do you know a man named Richard McCormick?

Answer. I can't say I do.
Question. How many John Murphys are there on the poll-list?
Answer. You will just go down that page to the bottom; there is a soldier's vote there; you had better ask me if I know him.
Question How many John Murphys are there on the poll-list?
Answer. I haven't enumerated them.
Question. Do you know a man named Michael McGuire?
Answer. I do know one called Michael McGuire.
Question. Where does he reside?
Answer. He did reside at the corner of Thirty-first street and First avenue.
Question. Do you know George McGuire?
Answer. There is a George McGuire, sir.
Question. Did he vote?
Answer. I can't say; you have my memorandum.
Question. Do you know John Grogan?
Answer. I know a John Grogan, sir.
Question Do you know a man named Patrick Gallagier?
Answer. There is a similar name down in that district.
Question. Where does he live?
Answer. You have got my memorandum, sir.
Question. Can't you state without that?
Answer. At present not.
Question. Do you know a man named Patrick Egan?
Answer. I did know a man of that name.
Question. Did he vote?
Answer. I can't answer that question; you have got my memorandum.
Question. Do you know a man named Michael Kernan?
Answer. I don't recognize that name in the district as you pronounce it.
Question. Do you know a man named Michael Kiernan?
Answer. There is a man of that name there, sir.
Question. Where does he reside?
Answer. I can't answer, as you have got my memorandum there.
Question. You say I have your memorandum: is it this book?
Answer. It is.
Question. Did you make it?
Answer. No, sir.
Question. Is it anything more than a copy of the poll-list?
Answer. A am not aware that it is.
Question. Has it any private writing of yours?
Answer. No, sir.
Question. Do you know a man named Nicholas Sheridan?
Answer. I know several Sheridans; one, I think, is Nicholas Sheridan; I am not positiive.
Question. Where does he reside?
Answer. They reside in different localities—those Sheridans.
Question. Can you not tell me?
Answer. Some in Nineteenth street—some in Eighteenth street.
Question. Do you know a man named Patrick O'Gara?
Answer. There is no such name in the district, as you pronounce it.
Question. O-'G-a-r-a?
Answer. That may be the fault of the person who wrote the book; but you don't pronounce it right. There is no such person in the district, spelled as you have given it.
Question. Do you know Michael Cosgrove?
Answer. I know one Michael Cosgrove, sir.
Question. Where does he live?

Answer. I can't answer; you have got my memorandum.
Question. James Joyce—do you know him?
Answer. I know two or three Joyces.
Question. Do you know James?
Answer. Yes; I know John and James; it is not the one you have reference to.
Question. Where does James Joyce live—the one I have reference to?
Answer. I am not positive; I think it is in Nineteenth street; I could think of it in a little while.
Question. How long would it take you?
Answer. It might be an hour or two.
Question. Do you know a man named Patrick Diamond?
Answer. I think there is such a person.
Question. Where does he live?
Answer. I can't answer, sir; you have got the memorandum.
Question. Do you know a man named James Leary?
Answer. If you will pronounce the name right, I will answer the question.
Question. L-e-a-r-y?
Answer. The name you have reference to is Leavy.
Question. Well, where does he reside?
Answer. Seventeenth street and First avenue.
Question. A soda-water man, I think?
Answer. I am pretty sure it is, too. I doubt very much whether it is Leary or Leavy you have reference to. There is a Leary, but in a portion of the book you are about at, I believe you have reference to James Leary, from the time he voted on the day of election.
Question. What time did he vote?
Answer. In the afternoon.
Question. Did he vote a full set of tickets?
Answer. I can't answer, sir, for that; you have got the memorandum there.
Question. Do you know Patrick Mullen?
Answer. Is the name Patrick, Thomas, or Charles?
Question. Patrick, I said.
Answer. I can't answer that, sir; you have got the memorandum there.
Question. Well, now, this Lieutenant Kelley—when did you become acquainted with him?
Answer. In company with Patrick Smith.
Question. When was that?
Answer. I have a memorandum of it, but it is not with me.
Question. About how long since?
Answer. I know it was the coldest day we had this winter; if you will tell me when that was, I will give you the date; that, or the day before it, was, as I believe, the coldest I know, for my ears were very cold. I know I took his child over and buried it, and I know I got a freezing.
Question. Took whose child over?
Answer. Patrick Smith's.
Question. Now, I ask you when you got acquainted with Kelley?
Answer. In company with Smith, ten days afterwards.
Question. How many times have you seen Lieutenant Kelley?
Answer. I have seen him several times.
Question. How many, as near as you can state?
Answer. Several times, sir.
Question. Five times?
Answer. I have.
Question. Ten?
Answer. No.

Question. At what different places have you seen him?

Answer. I have seen him—I can't answer it directly; I can evasively.

Question. Answer me as correctly as you can?

Answer. I saw him in the office of Lieutenant Glossey; I saw him in Washington market; I saw him in Broadway; I see him in William street; I saw him in Cedar street; I saw him in Nassau street; and other places I can't distinctly remember.

Question. What was the place at which you first saw him?

Answer. I saw him first in Washington market; but I was not speaking to him prior to my introduction to him—that was the first time I saw him.

Question. When did you see him next?

Answer. At the office of Lieutenant Glossey.

Question. Was that the same day?

Answer. No, sir.

Question. Did you go with him to that office?

Answer. No, sir.

Question. What were your doing at Lieutenant Glossey's office?

Answer. I went in company with Mr. Smith.

Question. Was Lieutenant Kelly there when you went in?

Answer. He was there when I went in the office; I didn't expect to see him there, either.

Question. How many days was that after you saw him in Washington market?

Answer. I can't say; it may have been three or four days.

Question. Did you recognize him as the same man?

Answer. I did, sir; he is a peculiar sort of a person. He looks as if he fell in a gravel hole, as the saying is; face very much pock-marked—a tall and slim person.

Question. Light or dark?

Answer. A sort of a mongrel.

Question. A red or pale-faced man?

Answer. A general appearance of a man that served in the army.

Question. Dark—bronzed?

Answer. Yes, sir, rather bronzed.

Question. Any appearance of being wounded?

Answer. I have not seen any.

Question. Was his hair light or dark?

Answer. I haven't paid much attention to that; I rather think it is pretty dark.

Question. Did he have either moustache or whiskers?

Answer. Well, he had some hair on his face.

Question. Was it moustache or whiskers?

Answer. I think he had a moustache.

Question. Did he have whiskers?

Answer. I think he had a piece here (pointing to his chin.) I didn't pay much attention to it.

Question. Was it what we call an "imperial?"

Answer. I won't be positive about that, sir.

Question. He had no hair on his face except over his upper lip and over his under lip?

Answer. I can't answer that—I can't positively.

Question. Did he or not have side whiskers?

Answer. No, sir.

Question. Was his chin entirely covered with hair?

Answer. No, sir.

Question. Did he wear spectacles?

Answer. No, sir.
Question. Where is Lieutenant Glossey's office?
Answer. I understood it to be the Gilsey building.
Question. Which floor?
Answer. I believe it is one floor up.
Question. What is Lieutenant Glossey's first name?
Answer. I don't know, sir.
Question. What does he do?
Answer. From the appearance of the office I didn't see any apparent business.
Question. What were you doing there?
Answer. I went in company with this Mr. Smith who wanted to see him; I went in on his invitation.
Question. Was it Glossey or Glassey?
Answer. The name, as given to me, was Glossey.
Question. Was there a sign on his door?
Answer. I didn't see any sign on the office door.
Question. What is his first name?
Answer. I haven't heard it. I was introduced to him as Lieutenant Glossey.
Question. Was it S. J.?
Answer. I didn't ask the man so impertinent a question.
Question. Did he have a uniform on?
Answer. No, sir.
Question. How old was he?
Answer. I should judge about thirty-one.
Question. How old was Kelley?
Answer. I should judge him to be about the same age.
Question. Why do you say 31 rather than 32?
Answer. Such is my opinion.
Question. Did you ever hear Lieutenant Kelley say to what regiment he belonged?
Answer. I did, sir.
Question. What regiment did he say?
Answer. The seventeenth New York.
Question. This Mr. Brown, was he at Lieutenant Glossey's office when you went there?
Answer. He was in company with him at the time this conversation took place, and also in company with Mr. Smith; they were both members of the same regiment, and were together.
Question. How came you to meet Smith that day?
Answer. Mr. Smith requested me to go down, as he said there was no person more friendly, on account of the interest I took in getting his child buried. He wished me to be witness for his application for transportation.
Question. Where did you go to do that?
Answer. I went with him twice.
Question. To what place?
Answer. First, I went with him up to Mr. Manierre, a provost marshal, and told him if any accident occurred it would be better to have his name registered there, and he would give him such instructions as would enable him to obtain his object.
Question. Where did you go then?
Answer. I went down to St. Mark's place, somewhere about Twenty-third and Twenty-fifth, I forget now which; and from there we went to Bleecker street—Captain Fisher or Fish, or something like that; from there we went down to State street.
Question. From there to what place?

Answer. He didn't get satisfactorily regulated that day, and we came up home; and we came through Washington market to see this Lieutenant Kelly before coming away.

Question. What was Lieutenant Kelly doing in Washington market?

Answer. His father and mother keep a stand there.

Question. What part of the market is it in?

Answer. It is in what is called West Washington market.

Question. Which end? up in the butcher's part or down in the country market?

Answer. It is what is called the old market.

Question. Was it nearer to West street or Washington?

Answer. It is nearer West street than Washington—almost midway.

Question. What kind of a stand do they keep there?

Answer. The stand that I was at was a poultry stand.

Question. Who did you see there?

Answer. I saw a lady who claimed to be his mother, and a gentleman that claimed to be his father. We saw Kelly in company with another gentleman, and they were passing out, and Mr. Smith didn't want to interfere with him. The father and mother were talking to Smith standing there; he stood a minute or two, sufficiently long for me to take his appearance, and his mother pointed, and says she, "There goes Jerry now." Says Smith, "Yes, by God, there he goes, and I won't interfere with him because he is in company."

Question. Where did you see him next?

Answer. In Lieutenant Glossey's.

Question. What did Smith go there for?

Answer. For the purpose of seeing him prior to his going to the army.

Question. Where did you meet Mr. Brown that day?

Answer. Will you please say to which day you have reference?

Question. The day of this meeeting at Glossey's office.

Answer. I met him at Mr. Smith's house.

Question. How many times had you seen him before?

Answer. I had been acquainted with Mr. Brown for about nine years.

Question. Where does he live?

Answer In Twenty-sixth street—his family does.

Question. What number?

Answer. I don't remember the number; it is close by First avenue.

Question. North or south side of Twenty-sixth street?

Answer. South side.

Question. Between First and Second avenues?

Answer. Yes, sir.

Question. What sort of a house is it—a tenament house?

Answer. Yes, sir.

Question. Which floor does he live on?

Answer. Two flights up?

Question. Is the house standing alone?

Answer. No, sir.

Question. How many houses are there in a row?

Answer. I haven't counted.

Question. About how many?

Answer. There may be four between the slaughter-house and the corner house, it being one of them. It is about four houses from the slaughter-house; there is a slaughter-house a few doors from it.

Question. Is the slaughter-house nearer to First or Second avenue than this man's house?

Answer. It must be nearer than the Second avenue, in consequence of this man's house intervening.

Question. Then the slaughter-house is between this man's house and the First avenue?

Answer. I didn't say so, sir.

Question. Then it is between this man's house and the Second avenue.

Answer. It is, sir.

Question. How many houses between this man's house and the slaughter-house?

Answer. I haven't taken any especial attention to that.

Question. About how many?

Answer. There may be two.

Question. Is there two?

Answer. There may be; I can't positively tell you.

Question. Is there more than two?

Answer. There may be.

Question. Is there more than three?

Answer. There may be.

Question. Is there more than four?

Answer. No, I think not?

Question. Well, now, you think there are about four houses in the row in which this man's house stands?

Answer. I do think so.

Question. Is it the first, second, or fourth house in that row from the slaughter-house?

Answer. I can't be positive; I haven't photographed it.

Question. Which would you think it was?

Answer. I should think there was three, or four, or five houses in the row—that is, counting his house.

Question. After leaving the avenue, is it the second door after passing the corner house?

Answer. I can't tell you any closer than that.

Question. Then, where does this man Smith live?

Answer. 249 East Eighteenth street.

Question. How long has Smith been to the war?

Answer. I understood him to say he had been eighteen months prior to his coming home on furlough.

Question. How large a family has he?

Answer. Four children, I think.

Question. In what month was the funeral of his child?

Answer. I can't possibly call my recollection to the exact month.

Question. Was it December?

Answer. I can't say, sir.

Question. January?

Answer. I have got a memorandum of it, but haven't it here.

Question. Was it before or since the charter election in December?

Answer. Since the charter election.

Question. Was it before or after New Year's?

Answer. I told you I couldn't say. I haven't the necessary memorandum that it is marked on.

Question. Between what avenues is this 249 East Eighteenth street?

Answer. First and avenue A.

Question. On the north or south side of the street?

Answer. South.

Question. Are there two sets of numbers to that street, or only one?

Answer. I rather think there are two sets, but I am not positive.

Question. Is this the old or the new number?

Answer. I should presume it to be the old number. It is the old number.

Question. What is the new number?

Answer. I don't know, sir; it would be some four hundred and odd if it was correctly numbered.

Question. How large a family had this man Smith?

Answer. Four or five children.

Question. A wife?

Answer. Yes.

Question. How many times did you see him at that place?

Answer. A dozen or more.

Question. Which part of the house did he live in?

Answer. He lived two pairs of stairs up.

Question. That's the third story?

Answer. I presume so.

Question. Now, if you met Lieutenant Kelly at Lieutenant Glossey's office at that day, when did you meet him next?

Answer. I haven't made a memorandum of the date; it may have been a few days afterwards.

Question. Where?

Answer. I can't tell you the exact location of that meeting.

Question. What street?

Answer. I can't give you the location.

Question. Where did you meet him the next after that?

Answer. I can't give you the streets.

Question. What streets did you say you had met him in?

Answer. I told you I met him in Washington market, Broadway, and two or three other streets I can't possibly remember. I have met the man a dozen times, and I have given you four or five streets. I met him in different parts.

Question. State what places you have met this Lieutenant Kelly since you saw him at Lieutenant Glossey's office.

Answer. I can give you that: Nassau, William, Cedar, Liberty, and one or two other streets.

Question. Did you meet him in the street or in houses?

Answer. In the street.

Question. Did you stop and talk to him?

Answer. I did once or twice.

Question. In which streets?

Answer. I had a drink with him down at the corner of William street, in a little bit of a shanty.

Question. William and what street?

Answer. William and the next street north of Pine.

Question. Do you mean Cedar?

Answer. I presume that is it. Yes, I think it was Cedar?

Question. When was the last time you saw Lieutenant Kelly?

Answer. I didn't make any memorandum of it.

Question. About how long since?

Answer. Oh, it's three or four weeks now.

Question. When was the last time you saw this man Brown?

Answer. The last time I saw him was in company with Mr. Smith; they were both going to join their regiments.

Question. About what time was that?

Answer. I can't give you the date.

Question. About how long since?

Answer. I can't give you the time—I have forgotten.

Question. Did you go with this man Smith to make an affidavit?

Answer. I was in his company when he made it?

Question. Where did he make it?

Answer. I think the man's name was Wildey.

Question. Where abouts?

Answer. At Mr. Phelps's office. He made it voluntarily, without solicitation, sir.

Question. Did you tell Mr. Phelps of this before you were examined before?

Answer. About what, sir?

Question. This Smith and Kelly story.

Answer. Why, he made the application in his office. Mr. Phelps certainly couldn't be deaf to an application of the kind.

Question. Why didn't you testify in regard to this on your first examination?

Answer. I wasn't asked the question then.

Question. Who have you talked with about the matter since your first examination?

Answer. I am not aware of having made any free conversation about it.

Question. You have not talked with any person in relation to this Kelley, Smith, and Brown story since?

Answer. No, sir, I have not.

Question. Haven't talked with anybody about it since you were first examined here?

Answer. I am not aware of having talked with any person; it may have slipped from my memory. If I have, I am not aware of it.

Question. Have you ever talked with Burchell or Taylor about this matter?

Answer. Mr Taylor is an entire stranger to me until I saw him in this room; with him I have had no conversation. Mr. Burchell I have not spoken to until I accidentally spoke to him in here, within probably three years.

Question. Have you got a nickname that you are called by?

Answer. What have you reference to?

Question. Is there a name other than your own which people sometimes call you.

Answer. Yes, sir; I have been called by another name.

Question. What is it?

Answer. I have been called by the name of Edmund Brooks.

Question. Why have you been called by that name?

Answer. I was so baptized when I went into the theatrical business once.

Question. You have been in the theatrical business?

Answer. Yes, sir.

Question. When was that?

Answer. The last season of Mr. Burton's owning the Winter Garden.

Question. How many years ago is that?

Answer. Probably between six or seven.

Question. What character did you take—what part?

Answer. I don't know as I have made a memorandum; I have played a great many characters.

Question. Give us some of the characters that you have played.

Answer. Well, I can play the "Inebriate;" and if you have any money to bet that I won't cheat you before I go home to night, and yet won't touch liquor, then I will cover it.

Question. How will you do it?

Answer. By talent and ability—believing myself capable to do so.

Question. How are you going to cheat me?

Answer. I won't abuse you; I shall do it legitimately.

Question. What is the art of cheating legitimately?

Answer. I think you consider yourself legitimately a counsellor? Well, I consider myself legitimately an actor, and can earn my living by it if I so desire. I am a mechanic, too, and can earn my living by that.

Question. What other characters have you performed?

Answer. The part of a man at all times.

Question. What other character?

Answer. Various characters, such as the stage managers thought fit to allot me.

Question. Don't you remember what they were?

Answer. I have played various characters. If it is presumed in legal parlance that an actor is a vagrant, I don't want to be put down so.

Question. Edwin Forrest is an actor?

Answer. He was. So Macready was taken as a vagrant once.

Question. Have you a nickname that you go by down in the thirteenth district?

Answer. I am not aware of any.

Question. You don't know that there is any name that people there call you?

Answer. I am not aware of it; I shouldn't answer to any nickname; I shouldn't stoop to the level of answering any nickname.

Question. Did you ever hear of your being called by any nickname down in the thirteenth district?

Answer. I am not aware of it, sir. If I call a man a scoundrel in the street, that is no reason why the name should stick to him. If I should say you were an ass, when you go outside that's no reason why you should be called so. The simile is perfect, I presume?

Question. About those other parts; you are not ashamed to name the others?

Answer. I am not, if the counsel desire it, and the judge. I have played *Paul Lafonte* in "Love's Sacrifice;" I am considered the best *Max Harkaway* in the country in "London Assurance," unless those playing at Mr. Wallack's; in the ordinary way I have been considered a good one. I mean, except John Brougham is around; if he is, then I will hang up my hat. I have played *Captain Cope* in "Charles the Second."

Question. Were you playing the characters at the same time you were carrying on your trade?

Answer. I have played some characters while carrying on my trade; they were small parts.

Question. Was your particular forte in comedy or tragedy?

Answer. Generally, "old man" was my particular forte; I sometimes took a "rake" at either; you understand the phrase, I suppose.

Question. Which do you consider that you excel in?

Answer. I excel particularly in the representation of the "Inebriate," I told you—that, too, without boast, or without drinking. There are gentlemen in the room who have seen me amongst friends, take my part in places where there have been soirees given for the benefit of the sick, and other parties. It is sometime, now, since I have played, and I don't desire to go into the profession any more.

Question. Were you able to work at your trade during the day and play at night?

Answer. I was, owing to the position I held at the time.

Question. What was the position?

Answer. "Utility" was the position. At the same time I was working at my trade for John R. Clarke, in Fulton street.

Question. At what business?

Answer. He was an upholsterer.

Question. Who did you serve your time with?

Answer. I served six months with Thomas Barker, University place.

Question. Where the rest of your time?

Answer. That is all.

Question. That is all the apprenticeship you served?

Answer. That is all I was required to serve.

Question. How long did you serve in the theatre?
Answer. I never served any.
Question. Did that come natural?
Answer. Nature brought it, I presume; those are gifts not to be learned.

Mr. PHELPS:

Question. You said that you could cheat Mr. Waterbury before you got through. What was your meaning by that; that you would tell him that which was not true?
Answer. I meant to say that my abilities would so deceive him that he wouldn't know whether I was drunk or sober; that I would act with such truthfulness as to do it.

JOHN R. HARGIN.

Attest: JNO. R. BRADY, *J. C. P.*

N. W. Berriman sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 120 East Twenty-eighth street.
Question. What is your occupation?
Answer. My occupation for the last four or five years has been in a military capacity.
Question. What duties in a military capacity have you discharged?
Answer. I have been a captain, and I have been a major.
Question. What regiment have you been in?
Answer. 10th New York, Colonel McChesney.
Question. How happened you to go in this 10th regiment?
Answer. Well, I was teaching some companies here; I was drilling one company in the 79th, and one in the 2d.
Question. That brings me to my first question. What has been your occupation?
Answer. I have been considerable in the military service since 1834.
Question. How long since you left the army?
Answer. I came home in 1862.
Question. Were you a major in this same regiment?
Answer. No, sir; I resigned in that regiment to go into a Pennsylvania regiment for promotion. I came through to go to Albany; there was a gentleman raising a regiment, and he asked me to go there and be his major; and after I went up to see Governor Morgan, I resigned to go into this Pennsylvania regiment.
Question. We only want to know what regiment you were major in?
Answer. The 10th New Jersey.
Question. What have you been doing during the last two weeks?
Answer. The last two weeks I haven't been doing anything in particular; I have been looking round here. Mr. Walker got me to go and see about some men's names in this district, and I have been hunting up all those men's names on the poll-list who didn't vote the election previous.
Question. Have you with you a memorandum of the names of the parties?
Answer. Yes, sir.
Question. Where did you get these names from?
Answer. I got 'em off the poll-list, or a copy of the poll-list?
Question. What kind of a copy was it, a certified copy?
Answer. Yes, sir; it was signed by the county clerk, Mr. Genet. Here is a list of the names I got off it.

Question. Soon after election, I understand you to say, you got a list from Mr. Walker?

Answer. Yes; two days after the election he asked me if I would go round to find those men who voted on the soldiers' votes, and I went round to all the houses; couldn't find any of them.

Question. Give me the names of the soldiers whose alleged places of residence you visited, and where you made inquiries?

Answer. James Niel, 127 Twenty-ninth street.

Question. Did you find that he lived there?

Answer. No, sir; they said he never lived there.

Question. Give me the name of any other soldier?

Answer. E. Carr, 142 Twenty-ninth street; they said he had lived there, but he was killed. Peter Buhler, 135 Twenty-ninth street; he never lived there. William Belden, 130 Twenty-ninth street; he never lived there. Simon Ling, 137 Twenty-ninth street; he never lived there. Thomas Bowen, 137 Twenty-ninth street; he never lived there. William Cochran, 136 Twenty-ninth street; he never lived there. Philip Bolander, that was a blacksmith's shop, Twenty-ninth street; it doesn't state the number.

Question. Did you call in all those places?

Answer. I called in all those places two days after the election, through the solicitation of Mr. Walker.

Question. Did you make thorough inquiries?

Answer. Yes, sir.

Question. Did you ask at more than one door in each house?

Answer. Oh, yes; I went up all through the rooms, and sometimes I would find a person in the place that would have the charge to show the apartments that were to rent, and they would tell me that they knowed every person in the house, and were sure that the person I inquired for was not there?

Question. Thomas Cassidy, 122 Twenty-ninth street, when did you call there?

Answer. I have called there during this last two weeks.

Question. What did you find out about him?

Answer. There was no place there—no house.

Question. No building of any kind?

Answer. Yes, sir.

Question. Did you call at 188 of that same street, and inquire for Thomas Colwell?

Answer. Yes, sir; I called there, and he was not there; he didn't live there.

Question. Did you inquire for Henry Dudfield?

Answer. Yes, sir; that is a blacksmith's shop along there; there is a foundry and a blacksmith's shop there for five or six numbers.

Question. Did you ask at the blacksmith's shop whether there was any man of that name there?

Answer. I inquired if there was any one lived there, and they laughed at me.

Question. Did you call for James Panell at 146?

Answer. Yes, sir; there was no one of that name there.

Question. Did you call for Patrick McGill at 142?

Answer. Yes, sir; there's no houses from 142 to 176.

Question. Then you did not find Edward O'Brien at 148?

Answer. No; there's no house there, but it appears on the poll-list that he voted.

Question. Did you find George Hellem at 156?

Answer. No, sir; there are no houses there.

Question. Did you find Mr. Wallis at 170?

Answer. No, sir; there's no house there.

Question. Did you inquire for James Campbell at 189?

Answer. Yes, sir; he never lived there.
Question. Did you inquire for John Mix at 173?
Answer. Yes, sir; he did live there, and moved away a year ago last May
Question. Who gave you that information?
Answer. The people in the house.
Question. Did you inquire for Samuel Bromley at 183?
Answer. Yes, sir; and they told me he was drowned last summer; he was going down in a transport and got drowned.
Question. In that same house did you ask for G. D. Cooley?
Answer. Yes, sir; and they said he did not live there at all.
Question. At 186 did you ask for James Burns?
Answer. Yes, sir; and he was not there.
Question. There's a Patrick Carroll, 128?
Answer. He moved away last May.
Question. Now, John Parker at 129, does he live there?
Answer. There is no such person there.
Question. In 132—John Sheridan and Thomas Togan—did they live there?
Answer. No, sir; there was four votes from that number, and I found two of them. They told me there was two lived there, and the other two didn't. Sheridan and Togan was the two that didn't live there.
Question. In 134 East Twenty-ninth did you ask for Owen Lamb?
Answer. Yes, sir.
Question. Did you find him?
Answer. He didn't live there.
Question. In 187 did you seek for W. H. McGee?
Answer. Yes, sir; and I couldn't find him; he didn't live there.
Question. Now, in Second avenue, at 511, did you ask for William Carr?
Answer. Yes, sir; he didn't live there.
Question. And 511 Second avenue did you ask for L. Lynch?
Answer. Yes, sir; he didn't live there. There was five votes in this house, and I found three.
Question. Are you sure you made diligent inquiry?
Answer. Well, the people there told me that they didn't live there, and the others did.
Question. At 525 Second avenue did you find ——— Mahon?
Answer. No, sir; he didn't live there.
Question. In that same house, 525 Second avenue, did you find other parties who had voted in the Second avenue?
Answer. John Webster; he didn't live there. John Weller; he didn't live there. In that house there was six votes, and those I didn't find.
Question. Then you found three votes there, and didn't find the other three?
Answer. No, sir.
Question. There is John Mahon, 526; did you find him?
Answer. No, sir; he does not live there.
Question. C. Farrell, 526?
Answer. He is not there.
Question. Now we will go into Twenty-eighth street. Did you find Vernon Valley at 111?
Answer. No, sir; he didn't live there—that was right opposite where I lived.
Question. How long have you lived in your present residence?
Answer. Seven years.
Question. Did you ever know him to live there?
Answer. No, sir.
Question. In 131 did you find W. Jeffers?
Answer. No, sir.
Question. In 141 James Tolin?

Answer. No, sir.

Question. In 141 did you find M. Gleason?

Answer. No, sir; he was not there.

Question. In 149 did you find Richard Calahan?

Answer. No, sir.

Question. In 111 did you find John Dillin?

Answer. He didn't live there; that was the same house where Vernon Valley was not found.

Question. Did you find John Quinn, corner of Twenty-eighth street and Third avenue?

Answer. No; there was a lady there named Mrs. McNally. I asked her if she had a man there by that name; she said no. I asked her if I had better ask at the other three corners; "no, it is useless to ask at the other corners," she says; "there is no such man here."

Question. At 149 did you find James Bayley?

Answer. No, sir.

Question. At 117 did you find M. Keegan?

Answer. No, sir; he is not there; that's an old lady. I am acquainted with her. She has lived there a long while.

Question. In 137 did you find Tom Barman?

Answer. No, sir.

Question. In 113 did you find Charles Briant?

Answer. No, sir.

Question. At the corner of Twenty-eighth and First avenue did you find John Black?

Answer. There is no house there. At 150 there's a house that two or three votes were polled from, and I found them all but Black.

Question. In the First avenue, at 483, did you find Felix Skellin?

Answer. No, sir; that's a brewery. I went there, and they were loading a cart; and a man had a book and pencil, and I asked him if there was any person residing there; nobody lived there; it was a brewery. I asked if this man Skellin was anywhere about there, and they said no.

Question. In 525 Second avenue did you find Joseph G. Armistead?

Answer. No, sir; Mr. Burchell says he receives the rent of that house, and there is no such man lives there.

Question. Then you did not call yourself?

Answer. No, sir.

Question. You took the word of Mr. Burchell, who collects the rent?

Answer. Yes, sir.

Question. How long did it take you to get this information? Did you do it thoroughly, and give time to it?

Answer. Yes, sir. I was out every day, and sometimes night, and I would send my boys; my boys knowed a great many boys that played around there, and if this man had children they would know them.

Question. Do you think you made a thorough and conscientious search in every room?

Answer. Yes, sir.

Question. You would feel positive that none of those men lived in the houses that you called at?

Answer. Well, I would be positive upon the information I got in the houses. I would swear that they are not there from the diligent search that I made.

Question. Did you hold, during the election, any position connected with the polls in the registering of the voters?

Answer. Yes, sir; I was both register and inspector of election.

Question. Were any soldiers' votes brought to you while sitting as register, with the request that you should register the names of the soldiers?

Answer. Yes, sir; there was a man came there and said he had thirty votes, and he wanted to know if I would register them, and I told him no; that if he wanted to dispose of them he must dispose of them according to law, and take them in to the inspector on election day, and testify by some voter that they lived in the district. He insisted, and I told him I would not take them. He called again with another gentleman, and asked them to witness, saying "You all know me; my name is Kirby." My colleague said, "Yes, we all know, but it don't make any difference whether we do or not."

Mr. WATERBURY:

Question. Did you have a republican colleague?

Answer. Yes, sir; he came from the same association, but I doubt him very much.

Question. So those soldiers' votes were lost, were they?

Answer. Well, he didn't fetch them there; they were not registered.

Question. They were not polled on the day of election?

Answer. No, sir.

Question. You said that Joseph G. Armistead did not live at 525 Second avenue.

Answer. I got that from Burchell.

Question. You previously testified that there were six votes from the house—525 Second avenue—and you couldn't find Mahon, Webster, and Weller; that you couldn't find those three. Now you say that there is another that you couldn't find?

Answer. Mr. Burchell, I said, gave me that information, that he didn't live there.

Question. Well, then, there were four of the six that didn't live there?

Answer. At that rate there must be. I didn't inquire. I reported that name through Mr. Burchell.

Question. You testified that you did find three?

Answer. Yes, sir.

Question. You testified that there were six votes on the poll-list from that house?

Answer. Yes, sir.

Question. That you didn't find John Mahon, John Webster, and John Weller?

Answer. That is all the men that I report that I didn't find.

Question. You say that Armistead was reported to you by Burchell as voting from that house and not living there?

Answer. Yes, sir.

Question. How came you by another when you say there were only six, three of whom you found, and three of whom are different from Mr. Armistead?

Answer. We took it off the poll-list this morning.

Question. That shows that this statement was false?

Answer. No, sir.

Question. You testified that there were only six names on the poll-list from that house?

Answer. There may be more. I had six to look after on my list; there may have been more.

Question. Who did you ask after?

Answer. I went all through the house.

Question. Have you stated in your examination all the persons that you inquired of that you knew?

Answer. I didn't know the persons.

Question. In some cases you have specified who you inquired of?

Answer. Yes, sir.

Question. Did those cases that you have specified include all the cases in which you knew the persons of whom you inquired?

Answer. No; I didn't know them, except those that I did state that I did know.

Question. When did you finally leave the army?

Answer. I left it in 1862—I think it was in March.

Question. What were you doing in the army before the war broke out? You said you had been in the army since 1834.

Answer. I said that I was occupied as an instructor in military matters in 1834.

Question. When did you first go into the army?

Answer. At the time of the Mexican war. I was in the Florida war and the Mexican war.

Question. In the United States regulars?

Answer. No; I went down and joined a Virginia regiment at the time of the Mexican war. At the time of the Florida war I was in a company from Philadelphia.

Question. I want you to tell me, when you had been connected with the army so long, why you left it so soon as the fighting commenced?

Answer. If my colonel had stayed with the 10th New York, I would have been lieutenant colonel; but he resigned, and I hadn't been mustered into the United States service, and the lieutenant colonel took it into his head that he had some one else who he would like to have captain.

Question. How many times within the last three months have you worn your uniform?

Answer. I have never worn any uniform except what I have got on. I have always had the garb of a soldier ever since I have been one.

Question. Do you think it strange that, going around making inquiries in the garb of a soldier, you received for answer that people didn't live there?

Answer. No, I didn't think it strange, because they all know me in this neighborhood.

Question. Do you think it strange that they wouldn't tell you, a man in soldier's garb, that the persons lived there?

Answer. Well, they told me what I wanted of them. I asked them if Mr. A, B, and C lived there, and they said yes.

Question. Did they ask you what you wanted of them?

Answer. In many houses they did so.

Question. Do you think that the ladies through the district know you as well as the men do?

Answer. I think they do. Well, all the children, too, knows me: if I go along the street they say there goes the major. They hear the men talk about me.

Question. They come under the designation of wise children, don't they?

Answer. I don't know that they are any wiser than other people who know people that don't know them.

Question. These people were mostly women, were they not, that you made inquiries of?

Answer. Yes, sir.

Question. Did you make inquiries of any men?

Answer. Yes, sir. In some cases they asked me what I was at, and told me I was at a damned mean business; and I told them it was about the election—that there was a good many people who had voted and hadn't their papers, and some where there was no house, and I thought it was necessary to find them out. In one case they followed me, and I met Mr. Taylor and called him across the street, and I told him there was two men following me, and I said I had got

to leave. One man shook his fist at me and said, "Come down here and I will give you all the names you want."

Question. Did you go?

Answer. No; I had no idea of going.

Question. I would like to get an answer to that question as to whether you think it strange that people are a little cautious about admitting the residence of persons in their houses to men who come in the garb of a soldier?

Answer. It would be, if I were an entire stranger; they might have a suspicion more than they had on to me.

Question. Then you don't think, if they hadn't known you, that they would have been cautious about admitting the residence of persons in their houses?

Answer. Some of them are; but they didn't see any paper that I had. I just came along and said, "Does Mr. Mahon or Mr. Campbell live here?" and they said no.

Question. They could see that the questioner was in the garb of a soldier?

Answer. There ain't much of a garb about it; a good many people wears caps.

Question. Don't you know that there is a good deal of apprehension in the city about being drafted and enrolled?

Answer. There has been.

Question. People dislike to give their names, don't they?

Answer. Some of them; but I believe lately, since they found out that they had to or be arrested, they do so more readily.

Question. They have to threaten them sometimes?

Answer. Sometimes.

Question. There is timidity existing, is there not?

Answer. Some little—yes.

Question. In Jackson's foundry don't they work night and day?

Answer. Sometimes.

Question. Do you think it strange that men working through the night in the foundry should name that as their residence?

Answer. I should think it very strange.

Question. Supposing they had no other residence?

Answer. If they had no other residence, I suppose it would be as good as an engine-house.

Question. Did you inquire at Jackson's foundry for any of those men?

Answer. No, sir.

Question. Do you know whether there is anybody sleeps in Jackson's foundry?

Answer. No, sir; I don't believe there is. I used to work in the foundries once myself, and I never knowed a man to sleep in a foundry.

Question. You didn't know that there was a room up stairs for men to sleep?

Answer. No, sir. If it is, it's not on Twenty-ninth street.

Question. Is there not an entrance on Twenty-ninth street?

Answer. Yes, sir—in the foundry there is, where they mould.

Question. How many people does Jackson have employed there?

Answer. That I couldn't say.

Question. How many do you think?

Answer. Sometimes, I guess, they may have over two hundred, and sometimes less.

Question. Don't you know that some of his watchmen sleep on the premises?

Answer. No, sir. He couldn't have more than two, I wouldn't suppose, any how. There was four houses there, numbered between 42 and 76.

Mr. PHELPS:

Question. The military garb of which you appear to have been so proud—was it different from that which you had here to-day?

Answer. No, sir.

Question. Then the only mark of a soldier's garb was a cap covered with oilskin and bright buttons on your vest?

Answer. Yes, sir; just the same as I am now.

Question. You have a citizen's coat on?

Answer. Yes, sir.

Mr. WATERBURY:

Question. You were pretty well known as an officer through that district?

Answer. Yes, sir.

Question. And the cap is a regular military cap, is it not?

Answer. Yes, sir; if you take the skin off it.

Question. And that is the garb in which officers sometimes go round?

Answer. Well, they don't wear it except when it rains; but I wear it all the time.

Question. Is it not like they generally wear?

Answer. Well, if I wanted to go anywheres on special service I would put on citizen's clothes without the garb.

MATTHEW W. BERRIMAN.

Attest: JNO. R. BRADY, *J. C. P.*

Joseph O. Davis sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. Across the street.

Question. What number?

Answer. 115 East Thirty-first street.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. I did, sir.

Question. Where did you vote?

Answer. Second avenue and Thirty-first street.

Question. For whom did you vote?

Answer. William E. Dodge.

Mr. WATERBURY:

Question. Where did you get your ticket?

Answer. I got it at the box on Second avenue?

Question. When?

Answer. On the morning of the election. I got the ticket for congressman at the republican box; the rest of the tickets at the democratic box.

Question. Did you read your ticket?

Answer. I did, sir.

Question. Whose name was on it?

Answer. What ticket?

Question. The Congress ticket.

Answer. William E. Dodge.

Question. Are you sure.

Answer. Yes, sir.

Question. No mistake about it?

Answer. Oh, no; I guess I can read.

Question. Who do you hire the house of that you live in?

Answer. I don't hire of nobody.

Question. Do you own it?

Answer. My mother does.

Question. Who did she buy it of?
Answer. I don't know; she built here twenty years before I was born.
Question. Do you ever make any wagers on elections?
Answer. No, sir; I never bet in my life on elections.

JOSEPH O. DAVIS.

Attest: JNO. R. BRADY, *J. C. P.*

Adjourned to Monday, March 20, 1865, at 7 o'clock p m.

MONDAY, *March* 20, 1865.

Hugh Blesson sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 144 this street—Thirty-first street.
Question. Did you live there on the 8th of November?
Answer. Yes, sir.
Question. Did you vote?
Answer. I did.
Question. Where did you vote?
Answer. I voted at that polling place across Second avenue there, corner of Thirty-first street—Fitz Simmons's store.
Question. Did you vote for member of Congress?
Answer. I did.
Question. Do you know for whom you voted?
Answer. I do.
Question. For whom?
Answer. I appeal to the judge if I am bound to answer that question. I will say this, that I did not vote for William E. Dodge.

Mr. WATERBURY:

Question. How came you to come here?
Answer. I was subpœnaed or summoned.
Question. Did anybody talk to you about coming?
Answer. No, sir; not until I got a summons.
Question. Who served the summons on you?
Answer. I really don't know the man.
Question. Have you seen him here to-night?
Answer. I don't know as I should recognize him.
Question. Is that the gentleman sitting down there? (pointing to Mr. Nathaniel Burchell.)
Answer. Do you mean Mr. Burchell?
Question. Yes, sir.
Answer. It was not him served it.
Question. Did you ever have any conversation with Mr. Burchell about coming here to testify?
Answer. Not about coming here; no, sir.
Question. Have you had about how you voted?
Answer. I met Mr. Burchell on the corner of Thirty-first street, and he asked me if I would vote for Mr. Dodge, and I said I supposed so, or something to that effect; but I altered my mind after that before I did vote.
Question. Did you ever have any conversation with Mr. Burchell after the election about how you did vote?
Answer. Yes. I told Mr. Burchell after the election that I didn't vote for William E. Dodge.

Question. Do you own the house where you live?
Answer. Yes, sir.
Question. Is there a mortgage on it?
Answer. No, sir. At any rate, if I thought of it, I don't think I should answer that question, because I don't think it is pertinent to this transaction.
Question. You say there is no mortgage on it?
Answer. There's no mortgage on it.
Question. Can't you remember the conversation that took place between you and Mr. Burchell after the election, as near as you can?
Answer. I met him accidentally in Mr. Fettridge's, I think. It's not long ago since I met him there. Well, I really can't recollect the exact words; but the purport of it was, he asked me if I voted for Dodge, and I told him I didn't.
Question. Do you know why you are subpœnaed here to-night?
Answer. No, sir, I don't, except to give evidence that is asked. I really can't understand it. I told Mr. Burchell plain enough that I didn't, and I don't see why he should subpœna me.

HUGH BLESSON.

Attest: JNO. R. BRADY, *J. C. P.*

Jacob Meyer sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 117 East Thirty-first street.
Question. Did you vote on the 8th of November last?
Answer. Yes, sir.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue.
Question. Did you vote for a member of Congress?
Answer. Yes, sir.
Question. For whom did you vote?
Answer. For Mr. Dodge—this gentleman, here, (pointing to Mr. Dodge.)
Question. How happened you to come, Mr. Meyer?
Answer. I was subpœnaed to come over.

Mr. WATERBURY:

Question. What did you vote for Mr. Dodge for?
Answer. Because he was duly elected by the republican party.
Question. For what office?
Answer. For congressman.
Question. Where did you get your ticket?
Answer. I don't know; some of the places there.
Question. Some of the places where?
Answer. In Second avenue.
Question. When did you get it?
Answer. In one of the booths, I think.
Question. When?
Answer. On the morning of the 8th.
Question. Did you read it before you voted?
Answer. Yes, sir.
Question. Are you sure you read the name of William E. Dodge for Congress on your ticket?
Answer. Yes, sir.

Question. What time of the day did you vote?
Answer. I think it was in the morning before 8, or between 8 and 9; I am not sure.
Question. How long had you resided at that place?
Answer. About six months.
Question. Where had you resided previously to that time?
Answer. I had just returned from Europe?
Question. What day did you return?
Answer. I am not certain when; but I think it was in August, some date in August.
Question. Where did you reside before you went to Europe?
Answer. Waverley place.
Question. When did you go to Europe?
Answer. In March.
Question. A man of family?
Answer. No, sir.
Question. How long did you reside in the city?
Answer. About nine or ten years.
Question. Ever make any bets on elections?
Answer. No, sir.

J. MEYER.

Attest: JNO. R. BRADY, *J. C. P.*

Johann Müller sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. I believe at the time of the election at 153 Thirty-first street.
Question. Did you vote?
Answer. Yes, I voted.
Question. Did you vote the republican ticket, or the democratic?
Answer. I voted for congressman.
Question. Which man did you vote for Congress?
Answer. I voted the name for William E. Dodge.
Question. Where did you deposit your vote? Where did you vote?
Answer. It was there, in Thirty-first street, on the corner, in that liquor store.
Question. In what avenue?
Answer. There, on the Second avenue—the corner.

Mr. WATERBURY:

Question. Where did you get your ticket?
Answer. I get my tickets down where they was meeting there always, where they sell lager.
Question. Where was that?
Answer. There, on the Second avenue, on the left-hand side.
Question. Between what streets?
Answer. Between Thirty-third and Thirty-fourth streets.
Question. When did you get it?
Answer. I get it dis morning, the same day I get my citizens' papers. I was down in the court about two weeks before, and I get my paper the same morning I vote—the same morning that I vote.
Question. Is that the same day that you voted?

Answer. Yes, the same day—the 8th of November, I think it was.

Question. What did you do with your tickets after you got them? Did you take them home with you?

Answer. No; I got them in my waistcoat, and about half an hour afterwards I go down to that place and vote.

Question. How many tickets did you vote?

Answer. I got about seven or eight.

Question. What tickets were they?

Answer. I didn't know about every one; I read about it, but I forget it—any other man's name.

Question. Did you get tickets for President?

Answer. I get tickets for President; yes, sir.

Question. Go on and tell what other offices.

Answer. I read not every man's name.

Question. Can you say what other tickets you got besides the ticket for President?

Answer. I read every one, but I forget a part. I know that man's name; William E. Dodge I know good enough.

Question. What other tickets did you have?

Answer. I get tickets for congressman. I can't say what other tickets I had; I forget.

Question. Which of the tickets you had did you read before you voted them?

Answer. I know only one or two tickets—for President and congressman. I read that good enough, and for Dodge. Another I forget about.

Question. What did you read on the ticket for President?

Answer. I read that what I tell you—for Mr. Dodge.

(The remainder of the examination of this witness was carried on through the medium of a translator, who was sworn to translate from English into German, and from German into English, correctly.)

Question. What tickets did you vote on the day of election—for what offices?

Answer. I don't know myself what tickets I did vote, except for Mr. Dodge—I seen that name. I got my tickets in a lager bier saloon, and I voted it.

Question. Have you seen Mr. Dodge's name on the presidential ticket?

Answer. No; I had that alone.

Question. Who else did you have on the presidential ticket besides William E. Dodge?

Answer. I forget all about that.

Question. Did you vote for Mr. Dodge on more than one ticket?

Answer. There was more on the ticket—Mr. Dodge and the President.

Question. I want to know if you voted for Mr. Dodge on any other ticket except the presidential ticket?

Answer. I don't know; I gave the whole of them there, and that's all I know about it.

Question. Did you vote those tickets at the election in December?

Answer. I voted only in November; I didn't vote in December.

Answer. How many of the tickets you had did you read over before you voted them?

Answer. I read them all over; but I forget all of them.

Question. Can you read English?

Answer. I read part of English, but not much.

Question. Were these tickets printed in German letters or English letters?

Answer. English.

Question. Can you read English letters?

Answer. I can read English letters?

Question. What time in the day did you vote?

Answer. Between 2 and 3 o'clock.
Question. Where were you born?
Answer. Germany.
Question. When did you come to this country?
Answer. I have been eight years in this country.
Question. How old are you?
Answer. Thirty-four.
Question. How many times have you gone to court about being naturalized?
Answer. Five years ago.
Question. How long have you lived at 153 Thirty-first street before the election?
Answer. Fifteen months.
Question. When did you move away from there?
Answer. I left the place about three months ago.
Question. Where do you live now?
Answer. 551 Second avenue.
Question. Of whom do you hire the house?
Answer. There's an agent keeps the house—Mr. Asher.
Question. Do you know who owns the house?
Answer. The first landlord, his name was Steel; but the house is sold about a month ago.
Question. Who asked you to come up here and testify?
Answer. There was a man who voted with me; he told me I should come here to-night I don't know the man's name; I know him.
Question. Have you seen him here to-night.
Answer. No; I didn't see him here to-night.
Question. Do you ever make any bets of lager, or anything else?
Answer. I have nothing to do with that; I am a shoemaker by trade.
Question. Did you ever make any wager with anybody about the election?
Answer. I don't know anything at all about that; the man that made me vote the ticket is not here. I don't know his name; if I saw him I would know him.

JOHANN MÜLLER.

Attest: JNO. R. BRADY, *J. C. P.*

Charles H. Nungezer sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. The old number is 408½; the new number is 550.
Question. Were you ever here before to give your testimony?
Answer. I was here, but I believe Mr. Nelson Waterbury objected to me because my name wasn't spelt right.
Question. Did you vote on the 8th of November last?
Answer. There ain't been an election since the time Henry Clay run but what I voted.
Question. Where did you vote at the last presidential election?
Answer. At the corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?
Answer. I voted the whole republican ticket, right straight through.
Question. Who did you vote for for member of Congress?
Answer. I voted for William E. Dodge; I voted for Abraham Lincoln, and I voted the assembly, and I voted the sheriff, (Kelley,) and I voted——

Mr. WATERBURY:

Question. Did you read your tickets?

Answer. Certainly; I always read 'em.

Question. Did you make a wager on the election?

Answer. No, sir; I never made a bet in my life, except once, and that was not in this city.

Question. How long have you lived in this place, at Second avenue?

Answer. I have lived there—if I see the first of April it will be four years; I lived in the Twenty-first ward going on nine.

Question. Where were you born?

Answer. I was born in Connecticut.

Mr. PHELPS:

Question. Do you know John Ercher?

Answer. I do, sir; he came to me for a ticket to vote.

Question. Do you know where he lives?

Answer. Yes, sir; he lives opposite me; keeps a lager beer saloon, which I frequently imbibe in.

Question. What is his number?

Answer. I don't know; it's in the Second avenue.

Question. Mr. Ercher came to you for tickets on the morning of the election?

Answer. Yes, sir.

Question. Did you ever hear him say for whom he voted for Congress?

Answer. He came to me and said, "Charley, who are you going to vote for? and I gave him the ticket for Mr. Dodge.

Question. Does he always vote the republican ticket?

Answer. I couldn't say for that; a man may come to me for tickets, but I couldn't say whether he voted them or not.

Mr. WATERBURY:

Question. I take it you are a pretty active republican?

Answer. No, sir; I am half and half.

Question. Don't you belong to the republican association?

Answer. I can't say that I do now.

Question. Didn't you last fall?

Answer. No, sir.

Question. Didn't you take an active part in the election?

Answer. I am half and half, I told you; I never voted a straight ticket in my life.

Question. Didn't you belong to the republican association last fall?

Answer. No; I don't believe you will find my name in the republican books for last year.

Mr. PHELPS:

Question. Do you know of any one else who voted for Mr. Dodge?

Answer. There is one living in my house, by the name of James Barmer.

Question. What makes you think he voted for Mr. Dodge?

Answer. Because he came to me in the morning for tickets, and I told him, "You are the first democrat that I ever changed to a republican."

Question. Did he say anything afterwards?

Answer. No more than he said he had done so.

Question. Do you know of any one else?

Answer. Well, there's another gentleman, who has been here before.

Question. What is his name?

Answer. Flynn, I believe; Dr. Flynn. I gave away that morning about twenty tickets. I was inspector of the fifth district. I have always been inspector five or six years.

Question. Did everything go on regularly in that district?

Answer. Everything, except in one case I put in a protest—a man living in the sixth district voted in the fifth; I thought that was illegal.

Question. Do you know his name; would you just as leave say what it was?

Answer. Well, the case has been brought up, I think, and I don't care to.

Question. Do you know for whom he voted?

Answer. No, sir.

Mr. WATERBURY:

Question. You said that Mr. Barmer told you afterwards that he voted for Mr. Dodge; what was his language?

Answer. The language was—I asked him in the evening when I got through my business—says I, "Jim, how did you vote?" Says he, "I voted the ticket you gave me." I have got his word for it; I could not swear whether he voted it or not; only he said so.

Question. Was it Michael Flynn that you gave tickets to?

Answer. Yes; I gave him tickets the day previous.

Question. Did he vote for Dodge, too?

Answer. I couldn't say whether he did or not; I never asked him the question since whether he did or not.

Question. Have you not as good reason to believe he voted for Dodge as Barmer?

Answer. No, sir, I haven't; for I don't think Jim would tell me a lie; he's an old particular friend of mine.

Question. Can you say positively that Barmer voted for Dodge?

Answer. No more than the words he gave me.

Question. Answer my question.

Answer. I can't say positively that he did; I gave him the ticket in the morning; he told me he was going to vote for him, and in the evening he said he had voted for him. I can get him in ten minutes if you want him.

Question. You were inspector in the fifteenth district?

Answer. Yes, sir.

Question. How much of the time were you away from the polls?

Answer. Just long enough to get my dinner and vote.

Question. How came you to be inspector in the fifth district?

Answer. I was appointed there.

Question. You voted in the third district?

Answer. Yes, sir.

Question. How came you to be appointed in the fifth, when you voted in the third?

Answer. I got my notice from the county clerk, and went down and swore in.

Question. Do you know how you came to be appointed?

Answer. No, sir, I don't.

Question. You say all the irregularity you know in the fifth district was that one man voting in the fifth who lived in the sixth?

Answer. Yes, sir.

Question. Were there many soldiers' votes polled in the fifth district?

Answer. I think there was eighteen or twenty.

Question. What was the most polled by any one man?

Answer. The most soldiers' votes?

Question. Yes, sir.

Answer. I couldn't say.

Question. Did any man vote as many as five?

Answer. I couldn't say; I don't think there was. There was one man voted three, I think, but I won't say positively.

Question. Do you think anybody voted more than three?

Answer. Not to my knowledge; I was not chairman of the inspectors.

Question. You think none voted more than three?

Answer. No, sir, I don't; not the time I was there.

Question. There was a republican majority of the inspectors in that board?

Answer. No, sir; I was the only one; there was two democrats.

Question. Do you know whether a man by the name of Jeremiah Finn polled any soldiers' votes?

Answer. No, sir, I don't.

Question. Do you know who this man was who polled three?

Answer. I think it was Mr. Carter.

Question. Was there any other polled as many as three?

Answer. Not to my knowledge. These votes might have been polled while I was away one hour, at dinner time. Of course there was a whole line ahead of me before I got in my vote. I never lost my vote before, and would not do so this day. I had to go in the back door to vote.

Question. Did a man by the name of Jeremiah Kelly vote any there?

Answer. I couldn't tell you. I have got a list, if you will allow me to look at it. Every man that voted that day was checked.

Question. Did a man by the name of Kelly vote any soldiers' votes?

Answer. I don't know.

Question. What's your impression?

Answer. I don't recollect the name; I don't know a man by that name.

Question. Can you tell me whether or not a man by the name of Kelly voted as many as three soldiers' votes?

Answer. I don't recollect; I don't hardly think there's a man of that name living in our ward. I don't know the man.

Question. You are quite positive that no man voted more than three?

Answer. Mr. Carter, I think, did vote three; he voted two one time.

CHARLES H. NUNGEZER.

Attest: JNO. R. BRADY, *J. C. P.*

Theodore Bolrath sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 146 Thirty-first street.

Question. Did you vote on the 8th of November last?

Answer. I did.

Question. Where did you vote?

Answer. Corner of Second avenue and Thirty-first street.

Question. Did you vote for member of Congress?

Answer. Yes, sir.

Question. For whom did you vote?

Answer. I didn't vote for Mr. Dodge.

Mr. WATERBURY:

Question. Was there any other gentleman by the name of Bolrath voted in this district?

Answer. I don't know, sir; I don't know no other one of my name.

Question. How came you to come here to-night?

Answer. Well, there was somebody came to the door; my little boy was at the door, and he got the summons and brought it to me.

Question. Has anybody talked to you about how you voted?

Answer. No, sir; not that I know of.

Question. You haven't talked since the election about how you voted for Congress?

Answer. Mr. Burchell asked me once who I voted for; as there would be a kind of bad feeling, you know, I told him I voted for Dodge. I said I did vote for Dodge once; of course, you know, I am telling the truth now.

THEODORE BOLRATH.

Attest: JNO. R BRADY, *J. C. P.*

Samuel Maycock sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 241 East Thirtieth street.

Question. Did you vote on the 8th of November last?

Answer. I did.

Question. Where did you vote?

Answer. Corner of Thirty-first street and Second avenue.

Question. Did you vote the whole ticket?

Answer. I did.

Question. Did you vote the republican ticket, or the democratic ticket?

Answer. I voted the republican ticket.

Question. Who did you vote for for member of Congress?

Answer. William E. Dodge.

Mr. WATERBURY:

Question. Which side of Thirtieth street is that?

Answer. It is on the northeast corner of Second avenue and Thirty-first street—my residence?

Question. Yes.

Answer. It's on the north side.

Question. Where did you get your tickets?

Answer. I couldn't tell where I got the tickets I voted.

Question. When did you get them?

Answer. The day of the election, to the best of my belief.

Question. Do you know?

Answer. Not to a certainty.

Question. How many tickets did you have?

Answer. I couldn't say the exact number—six or seven.

Question. Did you have tickets of the different parties?

Answer. Yes, sir; I did.

Question. You voted a full set of tickets?

Answer. I did, sir.

Question. Did you have a ticket for each of the candidates for office?

Answer. I had seen them and handled them.

Question. Did you have them in your hands on the day of election?

Answer. Yes, sir.

Question. Was it not possible that you put in a ticket for one of the other candidates instead of Mr. Dodge?

Answer. No, sir.

Question. How long before voting did you read your ticket for Congress?

Answer. Well, I put the tickets in my hands and held there until I reached the boxes; I couldn't tell you exactly how long it was before I voted; we were on a pretty long line.

Question. Did you throw all the other tickets away?

Answer. I couldn't say that I did; I may have had them in my pocket for a week; I think I remember finding some in a coat I wore some time afterwards.

Question. Did you find a ticket for Dodge?

Answer. Yes, sir; I had quite a number in my pocket.

Question. Is it not possible that you might have taken some other ticket than Dodge's for Congress?

Answer. I read my tickets and put them in a band, and deposited them in a box; and I am certain that I voted for William E. Dodge.

Question. How long have you lived there?

Answer. Five or six years; six, I think.

Question. Where were you born?

Answer. In this city.

Question. Ever make any wagers on election?

Answer. I did, sir.

Question. Did you bet on this last election?

Answer. Yes, sir.

Question. What did you bet?

Answer. I bet on the results of Mr. Dodge's election.

Question. How much did you bet?

Answer. Five dollars.

S. MAYCOCK.

Attest: JNO. R. BRADY, *J. C. P.*

John W. Owens sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 246 Thirty-second street.

Question. Did you vote on the 8th of November last?

Answer. Yes, sir.

Question. Where did you get your tickets?

Answer. I had a friend that gave them to me.

Question. Do you know the man's name?

Answer. Yes, sir—Cornelius B. Parker.

Question. Did you vote the whole republican ticket?

Answer. Well, no; I can't say that I did.

Question. Did you vote for member of Congress a republican ticket?

Answer. Yes, sir.

Question. What was the name on that ticket?

Answer. I voted for Mr. Dodge.

Question. Do you generally vote the republican or democratic ticket?

Answer. Well, I don't know that I'm compelled to answer that question.

Mr. WATERBURY:

Question. Did you read each of your tickets before you voted?

Answer. Yes, sir.

Question. How came you to vote for Mr. Dodge?

Answer. Because I liked the ticket.

Question. Did you know Mr. Dodge before?

Answer. Only by reputation; that's all.

Question. Who owns the house you live in?

Answer. I don't know.

Question. Who do you hire it of?

Answer. John Fittrich.

Question. Did he ask you to vote for Dodge?

Answer. No, sir; nobody didn't ask me to vote for him.

Question. Who did you vote for for President?

Answer. Am I compelled to answer?

Question. Yes, sir; you answered a part of the questions, and you must answer them all.

Answer. Well, I voted for George McClellan.

Question. Where were you born?

Answer. In New York.

Question. How long have you lived in Thirty-second street?

Answer. I lived in the house where I live now eight years.

Question. I want you to say what is the reason that, if you voted for McClellan for President, you voted for Dodge for Congress?

Answer. Because he's a kind of man I always liked. I always said I would vote for him if he run, and I did.

Question. Why did you like him?

Answer. I thought he was a smart man—a man capable.

Question. You say you didn't know him?

Answer. You asked me if I voted for McClellan.

Question. No, I asked you why if you were a McClellan man, you voted for Dodge for Congress?

Answer. I don't know the reason. I voted for McClellan and for Mr. Dodge.

Question. What was the inducement for you to do it?

Answer. There was no inducement; no one didn't advise me. I done it of my own accord.

Question. What reason had you for it?

Answer. Am I compelled to answer all these questions?

Question. Yes, sir, you are.

Answer. I told you I voted for him because I liked him.

Question. What was the reason that induced you, a supporter of George B. McClellan for President, to vote for William E. Dodge, a supporter of Abraham Lincoln?

Answer. I voted for him; that's all I can say.

Question. What was the reason of it?

Answer. I have no reason at all, sir, only I was advised to vote for him by a friend, that's all.

Question. What friend?

Answer. I could not tell you; several. Mr. Parker amongst the rest.

Question. Did you receive any money of any person in connexion with the election for any purpose?

Answer. I never received any money nor bet a cent of money on an election in my life; it's something I don't do.

Question. Did you vote for George B. McClellan because you liked his principles.

Answer. I did; yes, sir.

Question. Did you think it accorded with that to vote for a man of opposite principles for Congress?

Answer. I don't know as I thought so far ahead as that.

Question. Did you vote a full set of tickets?

Answer. I voted a full set of tickets; yes.

Question. Did you read each one of them before you voted?

Answer. I read the presidential ticket and the congressional.

Question. Did you receive tickets from any body else besides Mr. Parker?

Answer. No, sir.

Question. Did Mr. Parker give you a McClellan ticket?

Answer. Mr. Parker gave me a set of tickets.

Question. Did you vote the set of tickets just as he gave them to you?

Answer. Yes, sir.

Question. Is he a republican?

Answer. I don't know; he gave them to me and told me they was all right. I'm ahead of my story; he didn't give me a McClellan ticket; I had that myself.

Question. What other tickets did you have besides your presidential ticket?

Answer. I had the congressional. Well, I voted the whole ticket; I can't remember it now.

Question. But you received tickets from Mr. Parker; what tickets had you in your possession other than a presidential ticket?

Answer. I had none.

Question. Did you get all your tickets that you voted from Mr. Parker, except the presidential ticket?

Answer. Yes, sir.

Question. Who did you vote for for governor—Horatio Seymour or Reuben Fenton?

Answer. Am I compelled to answer all these questions?

Question. Of course you are.

Answer. I don't think so.

(Question repeated.)

Answer. I voted for Seymour.

Question. Did you get the Seymour ticket from Mr. Parker?

Answer. I got all my tickets from Mr. Parker, except the one I told you.

Question. And you swear, then, that Mr. Parker gave you a Seymour ticket for governor?

Answer. I swear, to the best of my knowledge, that he gave me what tickets I voted, except the McClellan tickets.

Question. Who did you vote for for sheriff—John Kelley, for John W. Farmer, or for Michael Connolly?

Answer. I don't remember.

Question. Who did you vote for for assembly—for Stephen R. Pinckney, Thomas B. Van Buren, or Diefendorf?

Answer. I think I voted for Pinckney.

Question. Who did you get that ticket from?

Answer. I told you I got the tickets from Mr. Parker.

Question. Then you got a Pinckney ticket from Mr. Parker?

Answer. I got the ticket from Mr. Parker.

Question. Did you open and read each one of the tickets you received from Mr. Parker?

Answer. I remember reading Mr. Dodge's ticket. I cannot remember all these things at present.

Question. Did you ask Mr. Parker for tickets, or did he ask you to take the tickets?

Answer. Well, he gave me the tickets.

(Question repeated.)

Answer. I don't remember.

Question. When was it you saw Mr. Parker, on the day of election or before, about these tickets?

Answer. I saw him on the day of election.

Question. How long before you voted?

Answer. About fifteen or twenty minutes.

Question. Can you remember whether or not you said anything whatever to Mr. Parker, or Mr. Parker said anything whatever to you?

Answer. In what respect.

Question. About anything concerning the election?

Answer. No, sir; nothing particular.

Question. Where did you go after you received the tickets from Mr. Parker?

Answer. I went to the poll.

Question. What time in the day was it?

Answer. Between two and three o'clock.

Question. How long did it take you to vote?

Answer. Well, I might have been there fifteen or twenty minutes, or a half an hour—I can't tell you—before I got in to the poll to vote.

Question. How is it that you can recollect that you voted for Mr. Dodge, when you cannot recollect whether you opened and read your tickets or not?

Answer. I Well, opened and read the tickets, but I don't remember them at present. I know I had Mr. Dodge's ticket.

Question. You opened and read what tickets?

Answer. Well, I opened and read the whole of them.

Question. Every one of the tickets you received from Mr. Parker?

Answer. Yes, sir.

Question. Why can't you say whether or not you received a Seymour ticket from Mr. Parker, if you opened all the tickets you received from him and read them?

Answer. I don't remember.

Question. What is your business?

Answer. Well, I'm a butcher by trade.

Question. What were you doing last fall?

Answer. I was working at the fish and oyster business.

Question. Who asked you to come here and be a witness?

Answer. No one in particular.

Question. Who not in particular?

Answer. Well, I heard several talk about it.

Question. Who did you hear talking about it?

Answer. Mr. Parker for one.

Question. Who else?

Answer. I can't tell you who.

Question. Have you talked to Mr. Phelps?

Answer. No, I don't know the gentleman.

Question. Have you talked to Mr. Taylor about it—that gentleman that stands against the door there? (pointing to Mr. Warren S. Taylor.)

Answer. He might have spoken to me about it; I don't remember.

Question. How many times have you been asked to come here and be a witness?

Answer. Mr. Parker asked me if I had been around here?

Question. Who else has asked you?

Answer. No one hasn't asked me to come here in particular.

Question. Has Mr. Burchell asked you?

Answer. I don't know the gentleman.

Question. Did anybody tell you you could make anything by coming around here?

Answer. Not at all, sir.

Question. Before you leave this stand, don't you think you could tell me how a McClellan man came to vote for Mr. Dodge for Congress?

Answer. No, I don't know as I can.

JOHN W. OWENS.

Attest: JNO. R. BRADY, *J. C. P.*

James G. Polmer sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 550 Second avenue; 408 was the old number.
Question. Did you vote for member of Congress on the 8th November last
Answer. I think I did.
Question. Do you know which of the three candidates you voted for?
Answer. I am under the impression I voted for William E. Dodge.
Question. Are you pretty sure?
Answer. Well, pretty sure, sir.
Question. Do you generally vote the republican ticket?
Answer. No, sir.
Question. Who gave you your ticket?
Answer. Mr. Nungeizer. I generally vote the democratic ticket.
Question. Did you vote the ticket Mr. Nungeizer gave you?
Answer. I think I did.

Mr. WATERBURY:

Question. Where did you vote?
Answer. At the corner of Second avenue and Thirty-first street.
Question. Don't you know whether or not you voted for Dodge for Congress?
Answer. Well, there is a bare possibility to be mistaken.
Question. How many tickets did you have in your hand?
Answer. I think I voted the entire ticket except for judiciary.
Question. How many tickets did you get of Mr. Nungeizer?
Answer. I think only one, sir.
Question. What ticket did you get from him?
Answer. I think it was for member of Congress, the only ticket I got of him.
Question. Did you have any other Congress tickets in your possession?
Answer. I don't know, indeed; I might have had; I probably did.
Question. Did you have a Barr ticket—a ticket for Thomas J. Barr for Congress?
Answer. Not that I know of; I might have had.
Question. Did you have one for James Brooks for Congress?
Answer. I think I had Brooks's tickets.
Question. Might you not have voted the Brooks ticket instead of the Dodge ticket?
Answer. It might possibly be so, but I'm under the impression I voted for William E. Dodge.

J. G. BOLMER.

Attest: JNO. R. BRADY, *J. C. P.*

C. M. Wrifle sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 565 Second avenue.
Question. What are you, democratic or republican, in your politics?
Answer. I voted a republican ticket, as I suppose, right through. What I have to say I can say very quick. It's all merely supposition, what I have to say.
Question. What makes you suppose that you voted the republican ticket?
Answer. My father-in-law got my ticket for me; it's the only ticket I had. My politics being one thing, I should not be particular in looking them over.

Question. What is the name of that father-in-law?
Answer. David N. Cipperly.
Question. What are his politics?
Answer. Republican.
Question. Did you vote the ticket he gave you?
Answer. I did.
Question. Are you sure you voted the ticket he gave you?
Answer. I am, sir.

Mr. WATERBURY:

Question. Do you know anything about how you voted except that you voted the tickets Mr. Cipperly gave you?
Answer. No, sir.
Question. Did you vote a full set of tickets?
Answer. I did; I suppose I did.
Question. How long had you lived at 565 Second avenue?
Answer. I can't tell you; a year and over, I think.
Question. Do you ever make any wagers on elections?
Answer. No, sir; I never mix in politics whatever; I'm no politician.

C. M. WRIFLE.

Attest: JOHN R. BRADY, *J. C. P.*

David N. Cipperly recalled. (Counsel for Mr. Brooks objected to the re-examination of this witness, on the ground that no second notice having been given, the right to examine him has been exhausted.)

Mr. PHELPS:

Question. Have you a son-in-law?
Answer. Yes, sir.
Question. What is his name?
Answer. I have two.
Question. Well, the one that I want.
Answer. Charles M. Wrifle.
Question. Did he vote on the 8th of November last?
Answer. He did, as far as I know; he told me so.
Question. Did you give him any tickets?
Answer. I did.
Question. Did you give him a ticket for member of Congress?
Answer. I gave him a whole set.
Question. What name was on the ticket for member of Congress?
Answer. William E. Dodge.

Mr. WATERBURY:

Question. Did you read every one of the tickets you gave to your son-in-law?
Answer. I don't know as I opened the tickets I handed him; I got three sets.
Question. I asked you if you read the tickets that you gave to Mr. Wrifle?
Answer. I can't say. I received three sets; and I can't say that I opened them all.
Question. Did you open each one of the sets of tickets that you gave to Mr. Wrifle?
Answer. Well, I don't know that I did.

Mr. PHELPS:

Question. Notwithstanding the fact that you didn't open these tickets, are you confident that they were republican tickets?
Answer. I'm confident they were republican Union tickets all the way through.

Question. What is the ground of your confidence?

Answer. I received it at a Union meeting, Thirty-third street, near Sixth avenue, on the evening previous, and I know there were no other tickets distributed through the room but them.

Mr. WATERBURY:

Question. Did you have no other tickets in your possession except those?

Answer. None at all.

Question. When did you receive them?

Answer. On the evening before election—on Monday evening.

Question. What did you do with them after you received them?

Answer. Kept them in my vest pocket until I gave them to him the next morning.

Question. You didn't open them and read them?

Answer. I can't say that I read them all; I read them in the room.

Question. When did you give them to Mr. Wrifle?

Answer. On the morning of the election.

Question. And they were in your vest pocket meanwhile?

Answer. They were in my vest pocket during the night—from the evening before till the next morning.

Question. Where was this meeting you attended?

Answer. Thirty-third street near Sixth avenue, north side.

Question. Ebbett Hall?

Answer. That's the place.

Question. How many persons were there?

Answer. Well, I can't tell you; there were two or three hundred, I should think; pretty near a couple of hundred, certainly.

Question. Were persons around through the meeting distributing tickets?

Answer. There were.

Question. Did you know them?

Answer. I knew but very few of them; I don't know that I could call the name of any that distributed the tickets.

Question. You cannot say, then, I suppose, but what some of those who were distributing tickets were black sheep in disguise, distributing mixed tickets?

Answer. I don't think there was any black sheep.

Question. You can't say, can you?

Answer. I'm pretty certain; I guess they were all white.

Question. Are you willing to indorse the politics of all the persons at that meeting distributing tickets?

Answer. I don't know. I don't understand what you mean by black sheep; explain that.

Mr. PHELPS:

Question. Have you a brother who votes in this district?

Answer. No, sir.

DAVID N. CIPPERLY.

Attest: JNO R. BRADY, *J. C. P.*

James G. McAdam sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 176 Fortieth street now; it used to be 162; the number has been changed.

Question. What is your name and business?

Answer. Well, my name is James G. McAdam; my business is a lawyer.

Question. Were you one of the inspectors of the ninth district of the Twentieth ward at the last November election?

Answer. Yes, sir.

Question. Who were inspectors with you?

Answer. Well, there were two, very good democratic men, but I don't know their names; I know them by sight, but I don't know their names.

Mr. WATERBURY:

Question. A. Ryan and D. McGowan were not those the names?

Answer. I am very defective about names. I would know the gentlemen if I saw them.

Mr. PHELPS:

Question. Will you state what you saw at the election there in the ninth district of the Twentieth ward?

Answer. Well, the first that I saw, my son was appointed as one of the poll-clerks; and being his first vote and his first action in anything political, I went down to see whether he was installed or not, and whether he received the books. He was one of the poll-clerks of that district—Randolph McAdam. When I went in there, not being appointed, on asking to be appointed in fact, I found the polls open, and the inspectors acting—Mr. Nettleton had been appointed the inspector, I believe; I think that was the gentleman's name. Mr. Smith, who was standing there, who acted as a challenger, requested me to act as inspector; I, forgetting the idea of being sworn in, not thinking anything about it, I went in behind the bar, (the place where this district was held was in a public house, and it was behind the bar,) I went in behind the bar, and those two gentlemen very politely told me I must move out, as I hadn't been sworn in; I thought likely that was correct, and I stepped out. The voting was going on, and there was no inspector on the republican side. They told me that I ought to go and get sworn in if I wanted to act. I didn't know much about it, but finally I concluded that I would. I went up to Mr. Stewart, the supervisor, and found him in his office, and got sworn in; brought down an affidavit, swearing me in as one of the inspectors, on deposition of Mr. Nettleton; then went back again. When I went back, the first thing that I asked was, that Mr. Smith—(I don't remember his first name, but he's a gentleman that's pretty well known—Thomas E. Smith, I think his name is)—I asked that he should stand very near me as a challenger, as he knew the parties in that district better than I did. It will want a little explanation why I had to ask him to come in there; (producing a piece of paper and a pencil.) The place we were standing in the room was just about so; (indicating;) the bar came down about so; then there was a corner here; they run out two, I think it was two, just common planks, which was right enough, I suppose, run them out about so; then there was a room away back here, where the people went out and in; and here was the room where the people stood. We were standing, the one inspector here, the other here, and I stood here. Well, the clerks, had a little table away up here. I asked Mr. Smith to stand here, about so, so as to advise me as to challenging. Attention was called by some one in the crowd to Mr. Smith standing there. They had a man standing right here, the democrats, I mean; and there was barrels and all this sort of thing. I could hardly stand here, because of those barrels, and I had to get something to stand on. These two inspectors came and ordered him out, and said he could not stand there, behind the bar. That was the first thing that commenced any difficulty. I said, "this is the bar here—the bar proper. This thing you have run up here, I don't understand that as a bar." I said, "Mr. Smith has a right to stand there." These two inspectors, both of

them being about half as big again as he was, ordered him out; if he didn't go out they would knock him out. Mr. Smith went out and came in behind here. The voting was going on all this time. I believe we took about a vote a minute; finally they put down the votes any way, and said they were all right. They finally chased Mr. Smith away from that place. They came up and threatened him, and said he was a damned thief, he was sleeping with a woman, and so on; if he didn't go they'd smash his face for him. He stood his ground pretty well till Mr. Daniel D. Conover came in. They chased him clear into the back room. He worked his passage back again, and one of the policemen said this fighting must be stopped. He said he thought he had a right to stay there; there were two democratic challengers there, they had one or two regular challengers. This man was sitting here all the time; he wasn't chased at all. Where Mr. Smith went I don't know, bu the came back again. In the mean time there was a great many threats used. I heard men say, "If that man comes back again I will smash his face for him." I don't know all that was said, but there was a great many things said. I said, "Mr. Smith, you had better go away; I don't think this election is important enough for you to run the risk of your life; I advise you to step out; I wouldn't bother myself about it as much as you are doing;" and Mr. Smith went away altogether, and I don't know that there was any person challenged at all after that. In the mean time the only thing that I saw that was wrong was in regard to the votes that were not registered. In regard to them, I made the objection, (I believe Mr. Smith had done it, and he was chased away,) I made the objection, that these votes should be vouched for properly, and we should have the right to examine them. These inspectors and the other parties on the outside said that it was merely stopping the election because we knew they had a majority in that district in favor of the democrats. "Well," says I, "the fairest way is the best way, any way, and is the quietest way to get along; every man that comes up with an affidavit ought to be vouched for by some one, and interrogated as to where he lives, whether he is the man that lives in that place or not." As to his identity, they said that made no difference; "we know him, and it's all right;" and down went the tickets. I believe there was about twenty-five of that kind that was taken, if I remember right, that were not registered. They went into the back room, carried in there by one or two men that I knew were democrats, and came up again; and they were received in preference to those that were registered, and they voted the tickets and no questions asked at all. Whether there were any indorsement upon the back or not I could not say, because the head man was standing up here. He took their tickets and put them upon a pin, and their votes went down; nobody knew whether they were the same parties that reported themselves as the voters, excepting they might know them by identity. I didn't live in that district, and I wasn't sure about it.

Mr. PHELPS:

Question. Subsequent to the expulsion of Mr. Smith, do you remember of any republican acting as challenger in the poll-room?

Answer. I don't remember; there might have been one or two doing it by a kind of suffrage; but I don't remember of any person being allowed to act as challenger at all.

Question. Was there one regular democratic challenger, and many others, voluntary and irregular, during all this election day?

Answer. There was. There were two or three that were privileged all the time.

Question. What time of the day did Mr. Smith finally, under these threats, withdraw?

Answer. I don't remember exactly; but it was pretty early in the day; I think about one o'clock.

Mr. WATERBURY:

Question. Did you think it was wrong for the inspectors to decline to let you act until you were sworn in?

Answer. I thought at first that it was, but when I began to reflect I thought it wasn't; I thought they were pretty right about it. I didn't see the idea at first, because I never acted much in that capacity. As soon as I saw the law, I saw that they were perfectly right about that.

Question. When you came back, after you were sworn in, did they make any objections to your acting?

Answer. No, sir; they didn't; they were very friendly all the day afterwards, except upon these questions that arose.

Question. They treated you, then, kindly and courteously?

Answer. All day afterwards, yes; excepting just upon the expulsion of Mr. Smith.

Question. Do you know where Mr. Conover lives?

Answer. No, sir.

Question. Do you know whether he is a voter in that district?

Answer. I don't know.

Question. Did he vote in that district?

Answer. I don't think he did.

Question. Don't you know that the law does not give the privilege of challenging to any person unless he is an elector of the district?

Answer. I think so—I believe so; I never studied the law particularly on that subject.

Question. You were not aware that the law restricts the privilege to a voter at the polls?

Answer. I don't know; I think it ought to be. I never studied the election law very particularly. Mr. Conover I don't think intended to act under it; but he wanted to support Mr. Smith in his position.

Question. About how many votes did Mr. Smith challenge while he was acting as challenger?

Answer. I think he challenged a good many. Well, I should say he challenged, perhaps, ten or twenty votes. I don't know—between ten and twenty.

Question. How many persons voted while he was there?

Answer. There was a great many; they were voting about one a minute; and he was there for some two or three hours—voting more than that, I guess.

Question. Don't you think he challenged as many votes as one out of every four?

Answer. No, sir.

Question. These affidavits, were they registered votes?

Answer. They were some of them registered, and some of them not registered. The soldiers' votes—there was a number of them put in; those he called our attention to particularly. I thought myself they were all well enough. He merely called our attention to it, and said that we must see that they were indorsed in a particular way; and I thought they were all right myself.

Question. They were right in form?

Answer. I thought so.

Question. How many soldiers' votes were polled all together?

Answer. Well, I forget. It seems to me there was about eight or ten; there might have been twelve.

Question. What was the greatest number of soldiers' votes voted by any one man?

Answer. I don't know.

Question. Did any man vote as many as three?

Answer. I don't remember any one voting more than one. There was a little difficulty about the soldiers' votes. I remember now there was a man came in and put a soldier's vote on the table and went away before his name was known. We hadn't time to know anything at all about it, and it was left on the table. I said, says I, "That vote, the man's gone out; that vote belongs to us to take care of." Another man grabbed it from me—the man that took these men into the room and had them sworn. Says I, "You have no business with that, my friend." "Yes," says he, "I have as much business as you have." Says I, "The gentleman just left it down; he will be in in a minute again." But away he went with it, and took it away with him; not very honestly, as far as I can judge a dishonest act; he brought it back again just the same way, and it was never opened. The man never came back, and the vote wasn't cast at all. That's one of the incidents.

Question. Did a man by the name of Jeremiah Kelly poll any soldiers' votes there?

Answer. I can't remember that.

Question. You are quite positive that nobody polled more than one?

Answer. I am not positive about that.

Question. Do you think anybody polled as many as three?

Answer. I don't remember any persons polling any more than one. I don't remember that particularly—not enough to call my attention to it at all.

Question. What aggravated the crowd against Mr. Smith so much; was it not the great number of challenges he made?

Answer. That's what they said—that he had no right to challenge them. I would not like to use the language that was used to him. I could if you really insist upon it.

Question. They spoke about the bank that he was cashier of, didn't they?

Answer. I don't remember anything about banks; but I remember their saying enough. They put their fists under his nose, and said if he would not clear out they would make him clear out damned soon, or he would get his face smashed; and then the policemen cleared out the room altogether; and then in a few minutes the democratic challengers and every one else was all in, and they was all right; they seemed to be.

Question. Did the policemen keep order in that room?

Answer. They tried to keep order, but it was very hard to do. They shoved men out two or three times, and there was a fight on the sidewalk after they shoved them out.

Question. Did they not keep order in the poll-room?

Answer. I don't think they did as well as they ought to have done. I don't think they could have done any better; there was a determination to have a row there.

Question. Was there any fighting in the poll-room?

Answer. Yes, sir; I saw a man knocked down there. I think twice men were knocked down in the bar-room; it was all the poll-room we had.

Question. What did the policemen do then?

Answer. They shoved them out, and they fought it out on the sidewalk, I suppose. I looked out a little while; the policemen did the very best they could do, I think.

Question. They did preserve order?

Answer. To the best of their ability, without taking any person up.

Question. Do you know that they didn't take any person up?

Answer. I don't think they did, because several persons came back to the room after fighting.

Question. Did the inspectors send for any more policemen?

Answer. No, but we sent for them very frequently.

Question. Did you ask the other inspectors to send for more policemen?

Answer. No; I asked them to see that there was a little decency used on both sides.

Question. Didn't they attend to them?

Answer. Yes; they sent for a policeman, and the policeman attended to it as well as he could; I give the policeman credit for not making any more disturbance than was actually necessary. I think there was three policemen there.

Question. Didn't you see any more than that during the day?

Answer. There was different ones detailed, I suppose.

Question. Wasn't there sometimes as many as half a dozen there?

Answer. There might have been; I had very short time to look around; there was about some seven hundred votes taken; it must have been a little more than one in a minute; we hadn't much time to look to see how many policemen there was.

Question. That was the nearest poll in the city to the Hoffman House, corner of Twenty-fifth street and Fifth avenue, was it not?

Answer. I don't know, indeed, where that is, and I don't know whether it is the nearest or not.

Question. The poll was in Seventh avenue, between Twenty-sixth and Twenty-seventh streets?

Answer. Yes, sir; either that or eighth — Twenty-seventh and Twenty-eighth; just about that neighborhood.

Question. It's only a short distance from there to the corner of Fifth avenue and Twenty-fifth street, is it not?

Answer. I don't know; I suppose that any person that has a map can see for themselves.

Question. Don't you know that it's only a short distance from there to the corner of Broadway and Twenty-fifth street—the Hoffman House?

Answer. It can't be a great ways; but I can't exactly remember; any person can know that for themselves; I don't, really.

Question. Broadway and Twenty-fifth street is between the Fifth and Sixth avenues, is it not?

Answer. Yes, sir.

Question. Then, going down the Seventh avenue to Twenty-fifth street, it is not a great way from that?

Answer. Of course it can't be.

Question. Then the poll was almost under the shadow of General Butler's presence, wasn't it?

Answer. I don't know where General Butler was that day.

Question. You advised Mr. Smith to go away?

Answer. I did advise him to go away.

Question. Didn't the people present seem to think that he was making challenges for the sole purpose of delaying the vote, and thus throwing out democratic votes?

Answer. Well, if I could judge from what they said, that's what they thought, because they said so; they said, "You damned rascal, you are merely making these charges because you know that we've got a majority."

Question. If I understood you, Mr. Smith challenged nobody but what was found to be an illegal voter?

Answer. There was nobody deemed an illegal voter at all; they all had a right to vote, whether they were challenged or not.

Question. Did you allow people to vote unless their names were on the poll-list, or unless persons came up to vouch for them?

Answer. They were allowed to vote by affidavit, as I said, without any person vouching for them; but the other two men said they knew them, therefore there was no necessity for it.

Question. If they said so, and the other inspector assented to it, doesn't the law provide for their admission?

Answer. I don't know whether it does or not; I didn't study the law; I didn't expect to be an inspector, and I trusted a little to them. I said, as far as I knew the law, and had time to read it then, that it required that there should be a householder to come up and vouch for them; and unless they did so, and identified the men, that any person might swear upon an affidavit in that way, and I thought it was wrong. They said, "It's all right; we know the man; it's all right;" and down went the ballot. I don't know but what the inspectors thought they were doing right, but I thought they were doing wrong.

Question. Do you think if that district had been a very heavy republican district and there was an attempt on the part of the democrats to delay the voting by such challenges, that the republicans would have been satisfied to have had their votes shut out by unnecessary challenges?

Answer. I think they would be great fools if they would, that's all. My idea would be that whatever side I wanted to win I would like to see them succeed.

Question. You say there were about twenty-five non-registered votes taken?

Answer. I think there was about twenty-five; there might be more or less. There was a tremendous row about the affidavits after we got them.

Question. You were canvasser of that district also, were you not?

Answer. Yes, sir.

Question. And signed the canvass?

Answer. Yes, sir; that happened to be the same way, because Mr. Hooper came in there; he was a canvasser, and he was afraid of getting his head mashed, and he told me if I had the courage to stay there he would put me in his place; I said I didn't believe anybody would hurt me.

Question. Was that John Hooper?

Answer. John Hooper.

Mr. PHELPS:

Question. What row was there made after the polls were closed, about these votes upon affidavit?

Answer. Well, the polls being closed, I suggested to the poll clerks to take charge of those affidavits, and they brought them into the back room, where the canvassing was going on; which, to tell the truth about it, I think the idea of being inspector and canvasser both was wrong; still that is what was done. The clerks took these ballots in; that is, the affidavits which were the representatives of the ballots, or rather of the registry; these two inspectors came into the room and claimed that they ought to have those affidavits. Well, I said, and the other inspectors said too, "You have no right to them, because they must be returned with the poll-list and the count of the ballots; they insisted upon having them. Mr. Gridley was there at this time—John V. Gridley—and there was a scramble for those affidavits, and a fight and a jostle over the table, fighting backward and forward about it; for some considerable time they were held in Mr. Gridley's hands—I believe for some few minutes—and in one of the canvasser's hands for a few minutes, and the crowd were trying to get at them. Mr. Hall, I believe, was chairman of the canvassers; he called the meeting to order, and insisted upon it that the policeman should take charge of them, and the policeman—one of the biggest men that were in there at the time—he finally took them in his possession, and they claimed to get them away from him; he said he wouldn't give them to anybody, and kept the affidavits, and what was done with them I don't know; he kept them, and we didn't have them at all.

Question. Do you think Mr. Smith challenged only for the purpose of delaying the voting?

Answer. Of course I would say that I don't think he did; I think it was

quite the opposite way; I think the few challenges he made wouldn't be considered that way; they had marginal notes that some were dead, and some out of the city, and those cases he challenged; whether it was correct or not I don't know.

Mr. WATERBURY:

Question. Do you know where Mr. Gridley lives?

Answer. Yes; I think he lives in Thirty-first street, on the north side, very near the Sixth avenue.

Question. He doesn't live in that district, does he?

Answer. No; I don't believe he does; he was down there just to see the counting of the ballots, I suppose.

Question. He is a violent republican politician, is he not?

Answer. Well, he is a very active republican politician.

Question. A little bit unscrupulous, too, I suppose?

Answer. I don't know about that.

Question. He has that reputation, has he not?

Answer. He hasn't half so much as what you used to have when you were sitting alongside of me as a barn-burner in Tammany Hall, when you and I used to be young men, on the committee there.

Question. I ask you if he hasn't a reputation of being a somewhat unscrupulous politician?

Answer. Democrats call him so.

Question. Has he not in his own party?

Answer. I don't believe they do; he is said to be in the ring in the Twentieth ward, if that's anything: I suppose it means that he is one of the head ones in the Twentieth ward.

Question. You know about politics in the Twentieth ward pretty well, I presume. I ask you if Mr. Gridley hasn't the reputation, in the republican party, of being an unscrupulous politician?

Answer. Well, I don't think he has that reputation in the sense that I would take for unscrupulous; his reputation is just this: that there is, as there is in every ward, in both the democratic and republican parties about five men to control the whole concern, and he is one of that five in the republican party.

Question. Has he not the reputation of a man that will do anything to accomplish his own purposes?

Answer. I have heard a good many people say so, but not of his own party, because they gave him about seventeen or eighteen hundred votes the last time he run; and they would hardly do that if they thought he was unscrupulous.

Question. He was the candidate for member of assembly at that election, was he not?

Answer. I think he was, if I remember right.

Question. Whoever was or was not entitled to those affidavits, was it not indecent for him, not living in the district, and a candidate for office, to endeavor to seize them?

Answer. I don't think it was, in the midst of a struggle, when the canvassers were too weak to resist the force that was brought against them; I think any good citizen had a right to save the public property, and hold it, so that he didn't use it for his own purposes; he's a strong, able-bodied man; he held them, and handed them right over to the policeman.

Question. Did any persons take hold of them other than Mr. Gridley, besides the inspectors and canvassers?

Answer. No; they couldn't, because they kept them to one side, and I tried to save them all I could; I was jostled and shoved; of course that was very easily done; my son tried, and he was jostled a little to one side; and Mr. Gridley—they were standing in a pile like this (indicating)—he grabbed them

up, and held them up in that way; and then the policeman, says he, "Let me have them;" he handed them over to the policeman, and said, "You must keep them close," and the policeman said, "Boys, if you make any more noise I'll turn you out; I am going to keep those and hand them over to the proper authorities;" I don't think Mr. Gridley, nor any other man, done anything wrong in that.

Question. You signed the returns as canvasser, did you?

Answer. Yes, sir.

Question. What was it that you said about me awhile ago?

Answer. I merely said that in regard to his being an unscrupulous politician, that I didn't think that he was any more so now as a republican than you used to be as a barn-burner when you and I sat together in the young men's committee in Tammany Hall.

Question. Do you mean to say that you saw me do anything wrong in regard to any election?

Answer. No, sir; I see the very opposite: you were always a zealous man on your own side.

JAMES G. McADAM.

Attest: JNO. R. BRADY, *J. C. P.*

Adjourned to Tuesday evening next, 21st instant, at 7 o'clock.

TUESDAY, *March* 21, 1865.

Frederick Hunzingen sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Do you know a man who voted for Mr. Dodge, and who is sick?

Answer. Yes, sir.

Question. What is the name?

Answer. Frank Marz.

Question. Where does he live?

Answer. He lives at 579 Second avenue, in the same house where I live, on the same floor, back room.

Question. Did he vote on the 8th of November last?

Answer. He told me he did.

Question. He told you for whom he voted for member of Congress?

Answer. Yes, sir; he told me he voted for William E. Dodge.

Question. How long ago did he tell you that?

Answer. He told me that not once—half a dozen times.

Question. Half a dozen times, at different interviews?

Answer. Yes, sir.

Question. Is Mr. Marz a very sick man?

Answer. Yes, sir; the doctor forbid him to go out if it was cold any way at all; and at night, he forbid him entirely to go out at night.

Question. He voted in the third district?

Answer. He did, sir.

Mr. ANTHON:

Question. Have you any knowledge about Mr. Marz's vote other than what he told you?

Answer. Only that he told me; I know the man about six years now, and I always knowed him to be a right square, up-and-down man.

Question. What is his business?

Answer. A machinist.

Question. Where does he work?
Answer. He used to work for James S. Jackson & Brother.
Question. What did he say when he told you he voted for Dodge; do you remember his words?
Answer. He asked me on election day if I couldn't procure him some tickets, and I told him I could; he told me that he voted the democratic ticket, except the congressional ticket; that's what he told me—just the very words.
Question. You didn't see him vote?
Answer. No, sir, I didn't.
Question. You live in the same house with him?
Answer. The same house.
Question. Whom do you hire the house from?
Answer. Mr. Francis Burke.
Question. Does he own it?
Answer. Yes, sir.
Question. Who is Mr. Francis Burke; what's his business?
Answer. I believe he's a book-keeper.
Question. In whose store, do you know?
Answer. That's more than I can tell, because I never asked him, sir.
Question. You know nothing more about him than that?
Answer. No, sir.

FREDERICK HUNZINGER.

Attest: JOHN R. BRADY, *J. C. P.*

Charles Chamberlain sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 137 East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. Yes, sir.
Question. For whom did you vote?
Answer. William E. Dodge.
Question. Where did you deposit your vote?
Answer. Corner of Second avenue and Thirty-first street.

Mr. ANTHON:

Question. Did you read your ticket before voting it?
Answer. Yes, sir.
Question. You remember seeing the name of Mr. Dodge upon it?
Answer. I do.
Question. Were you a member of any republican organization at the time?
Answer. No, sir; free from any association in politics.
Question. What is your occupation?
Answer. Steamboat agent—harbor-towing.
Question. Do you make any bets sometimes on elections?
Answer. Yes, sir; but I didn't make any until after I voted.
Question. How soon after you voted did you make your bet?
Answer. I made a bet on the corner of Dover and South street about twelve o'clock that day.
Question. Did you make any agreement to bet before voting?

Answer. No, sir; a man stumped me very abruptly, and I had to take him up; he wouldn't submit to the election if Mr. Lincoln was elected; I told him I would submit if McClellan was elected; he offered to bet me McClellan would be elected, and I took him up.

CHARLES CHAMBERLAIN.

Attest: JOHN R. BRADY, *J. C. P*

Thomas Hill sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. I live at 147 East Thirty-first street.
Question. Did you live there on the 8th of November last?
Answer. I lived there for seven years, sir.
Question. Did you vote on that day?
Answer. I did, sir.
Question. Where did you vote?
Answer. I voted corner of Second avenue and Thirty-first street.
Question. Did you vote for member of Congress?
Answer. Yes, sir; I did.
Question. For whom did you vote?
Answer. For Mr. Dodge.

Mr. ANTHON:

Question. How do you know that you voted for Mr. Dodge?
Answer. Because the ticket was given into my hands by a particular friend, who requested me to vote for that gentleman, which I am positive I voted for him on that account.
Question. Did you read the ticket?
Answer. I did, sir.
Question. You remember reading the name of Mr. Dodge on the ticket?
Answer. I do, sir.
Question. Had you made any bets on the election?
Answer. No, sir; I am not one of the betting kind.
Question. What is your occupation?
Answer. My occupation, sir, is a machinist.
Question. Whereabout are you employed?
Answer. Matthews, corner of First avenue and Thirty-sixth street.
Question. Who do you hire your house from?
Answer. Well, I hire it now from Mr. Escher, I think his name is.
Question. Is he the owner?
Answer. He is the owner, sir; he lives in the house.
Question. Are you a member of any republican political organization?
Answer. Nothing at all, sir.

Mr. PHELPS:

Question. Do you know any other voter in this district who voted for Mr. Dodge?
Answer. I do, sir.
Question. Will you mention the names?
Answer. Archibald Matthews.
Question. Do you think of any one else?
Answer. I do not, sir; not at present.

THOMAS HILL.

Attest: JOHN R. BRADY, *J. C. P.*

Thomas E. Valentine sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 136 East Thirty-first street.
Question. Were you ever here before?
Answer. Yes, sir.
Question. How happened it that you didn't give your testimony then?
Answer. I think there was some incorrectness in the first name, or something of the sort.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did, sir.
Question. Where did you vote?
Answer. Corner of Thirty-first street and Second avenue.
Question. Do you know for whom you voted?
Answer. Yes, sir; for William E. Dodge.

Mr. ANTHON:

Question. Did you read the ticket which you deposited?
Answer. Yes, sir.
Question. Where did you get it?
Answer. Corner of Thirty-first street and Second avenue.
Question. Do you remember seeing Mr. Dodge's name on that ticket?
Answer. Yes, sir.
Question. How long before you voted the ticket did you read it?
Answer. Probably about fifteen minutes.
Question. It didn't leave your possession before you deposited it with the inspector?
Answer. No, sir.
Question. Are you a member of any republican organization in the ward?
Answer. I am not, sir.
Question. What is your occupation?
Answer. Flour business.
Question. Had you any bets on the result of the election?
Answer. No, sir.

THO'S E. VALENTINE.

Attest: JOHN R. BRADY, *J. C. P*

Francis Dohmann sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 551 Second avenue.
Question. Are you a member of any republican club?
Answer. No, sir. I am a member to no club. I have got my own club in my house—my family.
Question. Did you vote on the 8th of November?
Answer. Yes, sir; I voted both times.
Question. You voted in December, then, too?
Answer. Yes.
Question. In November did you vote for member of Congress?
Answer. Yes, sir.
Question. Whereabout did you vote?

Answer. On the corner of Thirty-first street and Second avenue.
Question. Who did you vote for for member of Congress?
Answer. For William E. Dodge.
Question. Did you read his name on your ticket?
Answer. Yes, sir.

Mr. ANTHON:

Question. Have you been here before?
Answer. Last night I was here.
Question. Do you know why you were not examined last night?
Answer. They told me that my name was not put down on the book.
Question. What book?
Answer. Here on the list.
Question. Who brought you here?
Answer. An acquaintance of mine, Mr. Newschoffer.
Question. Who have you seen about being a witness here before?
Answer. Mr. Newschoffer told me of it.
Question. Only Mr. Newschoffer?
Answer. Yes, sir.
Question. Where do you live?
Answer. 551 Second avenue.
Question. Who do you hire your place from there?
Answer. I bought it.
Question. Who did you buy it from?
Answer. Mr. William Fettrich.
Question. How long have you lived there?
Answer. About six years.
Question. How long have you been in this country?
Answer. Since 1845.
Question. You say you read your ticket; when did you read it?
Answer. Before I went to the polls.
Question. How long before?
Answer. About a quarter of an hour, I suppose.
Question. What did you do with the ticket after reading it?
Answer. I put the ticket together and went to the poll.
Question. Did the ticket leave your possession between the time you looked at it and the time you went to the polls?
Answer. No, sir.

FRANCIS DOHMANN.

Attest: JOHN R. BRADY, *J. C. P.*

William J. Gurner sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. I live at 251 Twentieth street now. When I voted I lived at 157 Thirty-first street.
Question. Do you know Mr. Winslow?
Answer. I do.
Question. What is his first name?
Answer. John
Question. Do you know where he lives?
Answer. He lives now in Thirty-fourth street.

Question. Where did he live at the time of the last election?
Answer. With me, at the same house.
Question. Do you know where Mr. Winslow is now?
Answer. Yes, he's in Boston.
Question. Did Mr. Winslow vote on the 8th of November?
Answer. We both sorted our tickets together and voted together.
Question. Do you know for whom he voted for member of Congress?
Answer. He voted for Mr. Dodge.
Question. When did you and he sort your tickets?
Answer. Well, we sorted them in the breakfast-room, down stairs, before we left—me, him and Mr. Colby—since dead.
Question. You three were together?
Answer. Yes; we voted the same tickets.
Question. Did Mr. Winslow go with you to the polls?
Answer. We were all three together all the time—one followed the other.
Question. Who did you vote for for member of Congress?
Answer. Mr. Dodge.
Question. Did Mr. Colby vote for Mr. Dodge?
Answer. He did, particularly; he knew him.
Question. Did I ask you where you voted—where the polling place was?
Answer. It was in Thirty-first street, at a liquor store there.

Mr. ANTHON:

Question. Where did you live, did you say, at the time of the election?
Answer. In Thirty-first street.
Question. At what number?
Answer. 157, I believe it was.
Question. Are you sure of the number?
Answer. No, I am not; I know it was a hundred and fifty or forty seven.
Question. Might it not be 137?
Answer. No; I know it wasn't. My place of business down town was 137.
Question. Might it not be 127?
Answer. No; I am sure it wasn't.
Question. How long had you lived there?
Answer. Nine months.
Question. Nine months before the election?
Answer. Yes, sir.
Question. How long did you live there after the election?
Answer. I suppose about nearly two months.
Question. What did you do with your tickets after you had sorted them?
Answer. I gave them to the man that took the tickets.
Question. Did the ticket leave your possession from the time you voted it and looked at it until the time you gave it to the inspector?
Answer. No.
Question. When did Mr. Winslow go to Boston?
Answer. He went away on Friday.
Question. When is he coming back?
Answer. He was to be back to-morrow, but I believe his wife says he may be as late as Saturday.
Question. Is his business more than he expected?
Answer. He had to go to Roxbury, I believe.
Question. Do you know if he has been subpœnaed to come here?
Answer. I do not, sir.
Question. Where does Mr. Colby live?
Answer. He don't live at all now.
Question. He is the one who is dead?

Answer. Yes, sir.
Question. What is your business?
Answer. I keep a gentlemen's furnishing store at present—241 Canal.
Question. Do you know what Mr. Winslow's business is?
Answer. He's a machinist.
Question. Do you know where?
Answer. He has moved to Twenty-ninth street, I believe, now. He used to be over in Eleventh avenue; he has a machine shop.
Question. How did you happen to come here to night—who brought you here?
Answer. I was notified by a gentleman, I don't know his name.
Question. Have you seen him here to-night?
Answer. Yes.
Question. Just point him out, if you please.
Answer. Mr. Taylor, (indicating Mr. Warren S. Taylor.)
Question. Do you know whether Mr. Winslow was a citizen or not, of your own knowledge?
Answer. Not of my own knowledge; I always understood that he was born in Massachusetts.
Question. How long had you known him?
Answer. I have known him a year.
Question. A year before the election?
Answer. No; a year from this time.
Question. How long had you known him before the election?
Answer. About five months, I suppose.
Question. Do you know, of you own knowledge, whereabouts he lived before you became acquainted with him?
Answer. No, I don't, of my own knowledge.
Question. Had you made any bets on the election?
Answer. No.
Question. Do you know whether Mr. Winslow had made any bets?
Answer. I do not.
Question. How long had you known Mr. Colby?
Answer. About the same time—about seven months, I suppose.
Question. Do you know, of your own knowledge, whether Mr. Colby was a citizen or not?
Answer. I do not, sir.
Question. Do you know whether Mr. Colby had any bets on the election?
Answer. I do not.
Question. You had known him about seven months before the election?
Answer. Yes, sir.
Question. Do you know, of you own knowledge, where he resided before you knew him personally?
Answer. No, I do not.
Question. Did you see Colby or Winslow vote?
Answer. I see Colby vote; he was before me.
Question. You didn't see Winslow vote?
Answer. No, he followed me.
Question. Do you know whether Mr. Winslow's vote was challenged or not, of your own knowledge?
Answer. Of my own knowledge, I do not; he came out about three or four minutes afterwards.
Question. With whom have you spoken about coming here as a witness?
Answer. No one at all; I forgot all about it till to-night?
Question. How did you happen to come to-night?
Answer. Because I had been notified to come again.

Question. When were you notified?
Answer. This afternoon there was a notice left.
Question. That is all the conversation you had about this?
Answer. That's all.
Question. How did the first conversation come about? You say you were notified some time ago. Who did you first tell how you voted in this election?
Answer. I never told any one how I voted; I was not asked how I voted.
Question. Who came to notify you?
Answer. Mr. Taylor.
Question. Had you known Mr. Taylor before he came to notify you?
Answer. I never had seen him before.

WILLIAM J. GURNER.

Attest: JNO. R. BRADY, *J. C. P.*

William Smith sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 95 East Thirty-third street.
Question. What is your occupation?
Answer. Well, I am a printer by trade.
Question. Had you any office connected with the election?
Answer. I was inspector.
Question. Who were inspectors with you?
Answer. Well, I think Mr. Johnson was one.
Question. Do you remember the name of the other?
Answer. I think Mr. Carroll; I won't be positive; either Mr. Carroll or Mr. Sinclair; I think it was Mr. Carroll.
Question. Do you know whether engine company No. 12 comes in that district?
Answer. Yes, sir.
Question. What district is this?
Answer. The ninth district.
Question. Of the Twenty-first ward?
Answer. Yes, sir.
Question. In what street is engine company No. 12?
Answer. Thirty-third street, pretty nigh opposite where I live.
Question. Do you know by what number it is designated on the street?
Answer. 112 East Thirty-third street.
Question. How many members of this engine company, or alleged members, voted on the 8th of November last?
Answer. Well, there was forty-two votes; either forty-two or forty-six; I am under the impression it was forty-two. It was not under forty-two, because I checked every vote.
Question. Were any of these votes challenged?
Answer. I challenged one of them myself.
Question. Why did you challenge that one?
Answer. Well, a man hesitated when he came up to vote. A half-dozen others all came in with him, and I supposed they wanted to ring in some votes. It appeared the man had an impediment in his speech, and I did not know it. When he came to vote he kind of trembled, and couldn't get his name out, and I said "I challenge that man's vote." He was the only man from there that was challenged.
Question. Was his vote finally received or not?

Answer. Yes, sir; it was finally received.

Question. Do you know which way these forty-two men voted; were they republicans or democrats?

Answer. I know that there is one of them voted the republican ticket, and I think that is the only one there; and when he voted there was half a dozen came in and they challenged him. They said "We won't allow any Lincoln votes to come in here." And they all got around him and challenged his vote; and he had to swear his vote in. Says he, "That's one Lincoln vote."

Question. Was there a difference in the indorsement on the back, between the republican and democratic ticket?

Answer. Yes, sir.

Question. And you knew this difference?

Answer. Well, yes, sir.

Question. So that you could state from seeing the back whether it was republican or democratic?

Answer. Yes, sir.

Question. And you are sure that of these members of the engine company, only one voted the republican ticket?

Answer. Well, I couldn't swear positively that that was the only one; but I am pretty positive that was the only one. I am pretty well acquainted round there and I know they are all democratic.

Question. Do you know how many really are members of this engine company?

Answer. I don't know; I understand there's about twenty-eight or thirty members by the books. I know there ain't so many men as there are names on the books. I know men voted there that ain't members of the company, although they might be honorary members.

Question. Are you a relative of Thomas P. Ashton?

Answer. Yes, sir.

Question. Did Mr. Ashton tell you to notice the votes of these men from the engine company?

Answer. Yes, sir; he spoke to me about it. Of course I took notice of every one that voted. I stood right by the box, and checked every vote; I had the book and checked every vote that was voted.

Question. Could you tell whether these men voting the democratic ticket voted for Mr. Brooks or Mr. Barr?

Answer. The indorsement was mixed up so on that, you could hardly tell. That's something I couldn't tell positively—about that.

Question. Have you any impression?

Answer. Well, my impression is, most of them went Brooks.

Question. That is only an impression?

Answer. That's only an impression; I couldn't say positively about it. I know they were all democrats; how they voted, I don't know. I am pretty well acquainted there. There is two parties there. There's Jemmy O'Brien; I don't suppose he went Brooks, although he didn't vote from there.

Question. Do you know what Mr. Ashton was wanting to get this information for about the engine companies?

Answer. I don't know; I have heard several reasons.

Question. Has Mr. Ashton been to Albany to endeavor to get through a bill making this a paid fire department?

Answer. Well, he has been to Albany several times.

Question. Do you know if he went for that purpose?

Answer. I don't know but what he has. I know he has taken quite an interest into it.

Mr. ANTHON:

Question. What are your politics?

Answer. I generally vote the republican ticket.

Question. The Mr. Johnson who was with you as inspector, what are his politics?

Answer. I believe he generally votes the republican ticket.

Question. He is a pretty active republican, is he not?

Answer. Well, I believe he is.

Question. So that there were two republican inspectors in that district?

Answer. Yes, sir. Oh, I didn't tell you I got hit by a challenged man.

Question. This one man that you challenged you challenged on account of his hesitancy of speaking?

Answer. Yes, sir.

Question. That was before you had discovered that he had an impediment in his speech?

Answer. Well, I didn't know what was the matter with him.

Question. Were those the only two votes challenged out of the forty-two you spoke of?

Answer. There was only one challenged.

Question. You say another was challenged that voted the republican ticket?

Answer. Yes, that's correct.

Question. Were those the only two votes challenged out of that engine company?

Answer. Yes, sir.

Question. And both of those were sworn in and received?

Answer. Yes, sir.

Question. Do you know whether or not those votes were registered?

Answer. They were registered; yes, sir.

Question. Can you give the names of any of those votes from engine company No. 12?

Answer. There was Lawrence Delmore, I think his name is.

Question. Who else?

Answer. There's one man by the name of Carr; I don't know his first name.

Question. Can you give me any other?

Answer. I know more by sight than I do by name.

Question. Can't you remember the name of any other?

Answer. Well, I don't know as I could positive. I know them all by looks. I see them every day. I live right opposite them, but I don't know their names.

Question. Who formed the board of registry in the district?

Answer. I was one of them.

Question. Who were the others?

Answer. Well, I believe Mr. Ashton was another one.

Question. Who was the third?

Answer. Well, now, I ain't sure whether Sinclair—I forget the other man's name—Pat. something or other; he is a bar-keeper at Carroll's.

Question. Mr. Ryan?

Answer. I don't know but what that's the name.

Question. This Mr. Ashton is the same gentleman alluded to a moment ago as your relative, isn't he?

Answer. Yes, sir.

Question. What are his politics?

Answer. Well, he's a republican.

Question. And is also in favor of a paid fire department, and against the present fire department?

Answer. Of course, I can't say how he is; I suppose he is.

Question. You made the registry of the district, didn't you?
Answer. I was one of them; yes, sir.
Question. Was it regularly returned and made?
Answer. Yes, sir.
Question. Did the registers certify the correctness of the register, as required by law?
Answer. Yes, sir.
Question. Who signed that certificate?
Answer. The registers all signed it. I know I signed it for one.
Question. You think all the registers signed it?
Answer. I think they all signed it.
Question. You say that some of these persons who voted from that company may have been honorary members?
Answer. I know there was some of them; but I know those who voted were not members there; I know one.

Mr. PHELPS:

Question. Was any dissatisfaction expressed at your act in challenging this fireman that you spoke of?
Answer. Yes, sir; there was a good deal; there appeared to be. I thought so by the way they used me afterwards.
Question. What did they say at the time?
Answer. Well, when I challenged the man they said. "We'll mark you."
Question. Did they say anything else?
Answer. Well, they didn't say anything else in the room; they looked daggers, though.
Question. Did they mark you? Did anything in their subsequent conduct show that they marked you?
Answer. Well, yes, sir; when I came out there I was tackled and struck. I don't know as I ever had a hard word with one of them in my life; and when I challenged that man I apologized for doing it, and said, "I was not aware that you had an impediment in your speech, or I wouldn't have done it." I supposed that was apology enough for any one; but when I came out there they struck me.
Question. Do you believe that this blow was inflicted in punishment of your discharge of duty in challenging?
Answer. I know it was nothing else. I have passed there a hundred times, and never had a word with any of them.
Question. You had no enemies in the district?
Answer. No, sir.
Question. And have had no hard words with any of them except that?
Answer. No, sir.

Mr. ANTHON:

Question. This blow was after the close of the election?
Answer. Well, after the polls were closed; yes, sir.

JOHN R. SMITH.

Attest: JOHN R. BRADY, *J. C. P.*

John R. Hargin recalled.

Mr. WATERBURY:

Question. Who were the other registers besides you?
Answer. James Owens and G. Joseph Ruche.

Question. What was the politics of Mr. Ruche?

Answer. Mr. Ruche, I presume, was a Union man; I know he is.

Question. You mean by that that he is a Lincoln man?

Answer. I mean just as the word expresses.

Question. Didn't he vote for Lincoln?

Answer. I can't say whether he's a Lincoln man or not; I say he's a Union man.

Question. Is he what he is sometimes called—a republican?

Answer. I should presume so.

Question. Don't you know that he is?

Answer. I believe so.

Question. Belongs to the same party that you do?

Answer. I am not a member of any party, consequently I can't judge the gentleman's political status.

Question. Was he appointed by the same party that appointed you?

Answer. He was appointed the same as I was, by the board of supervisors.

Question. Was he nominated by the republican part of the board of supervisors?

Answer. I can't say, sir; I was not present at the meeting.

Question. Is he a democrat?

Answer. That would depend on the construction of the word, sir.

Question. Well, now, Mr. Hargin, if you will stop this fooling, I want to know if Mr. Ruche belongs to the party or sympathizes with the party that supported Mr. Lincoln for President?

Answer. If you will please stop the stenographer a moment I will answer you. I am not fooling.

Question repeated.

Answer. His sympathies are with the same party that supported Mr. Lincoln for President.

Question. Who was clerk of that board of registry?

Answer. Arthur Bassett.

Question. Who appointed him?

Answer. I presume he was appointed by the police commissioners, sir. No, I beg pardon; he was appointed by the registers—by the board of registers.

Question. By you and Mr. Ruche?

Answer. Yes, sir.

Question. He was the same side as yourselves in politics?

Answer. I rather think, sir, that the gentleman was rather more liberal than I might be supposed to be myself.

Question. Did you sign the registry?

Answer. I did, sir.

Question. Did Mr. Ruche?

Answer. He did, sir.

Question. Who made out the registry—the clerk that you and Mr. Ruche appointed?

Answer. The clerk; and I superintended. He done the writing, but I examined it, and so did Mr. Owens and Mr. Ruche.

Question. Did you and Mr. Jenny, on the day of election, wrongly reject or refuse any soldiers' votes?

Answer. No, sir.

Question. You said that there was liquor sold in the poll-room on the day of election?

Answer. There was, sir.

Question. Did you see it sold?

Answer. I did, sir.

Question. What kind of liquor was it?

Answer. It was what they call Bourbon, I presume—pretty strong Bourbon.
Question. How did you know it was Bourbon?
Answer. From the sense of smell and taste.
Question. Did you try it?
Answer. I did, sir.
Question. Did you buy some yourself?
Answer. I did, sir.
Question. How many glasses did you buy?
Answer. None, sir.
Question. You mean you bought it by the bottle? How many times did you drink liquor during the day of election?
Answer. I might have done it once or twice.
Question. How many did you?
Answer. I can't say beyond that; I give you the utmost of my memory.
Question. You remember drinking it as many times as twice?
Answer. I may have done so, sir.
Question. How many times did you see Mr. Connolly drink liquor that day?
Answer. He may have drank twice to my once. I am sure he did.
Question. Did you see him drink liquor more than once?
Answer. I did, sir.
Question. What did he drink?
Answer. I can't tell you, sir; the same order was taken, and I presume the liquor brought in.
Question. Did Mr. Jenny acquiesce in your drinking liquor?
Answer. No, sir.
Question. What did he say upon the subject?
Answer. He didn't say anything, other than to say that liquor shouldn't be sold at the polling place; it was against the law, he said.
Question. What part did Thomas Connor take in the election?
Answer. At the time I went out in the afternoon to get something to eat and to vote at the district in which my residence was—I can't say what part he took during my absence, but on my return I found him acting in the capacity of inspector—that is the place which properly I should have filled.
Question. What did he do in that capacity?
Answer. He was attempting to exercise the position that belonged to me.
Question. I ask you what he did?
Answer. I have answered you; he was attempting to do what I should have done had I been present.
Question. I want you to name the specific acts that he did?
Answer. I believe I have named it. It appeared to me from Mr. Jenny's holding out against him acting in that position until my return—Mr. Jenny considering that he could have filled the place for the few minutes that I was absent—that this person demanded the right, while I was absent, to take my place; but Mr. Jenny having so stoutly held out against it, he done nothing further than attempt, to my knowledge. He did act for a portion of the time as clerk; what he may have done I can't say in my absence; I am on my oath, and must tell you what was done in my presence.
Question. Did he put any tickets into the ballot-box?
Answer. Not in my presence, sir.
Question. You testified that you were beaten on the night of the election. Where were you beaten—what place did it occur?
Answer. On the northwest corner, about twenty-five feet from the northwest corner of Twentieth street and First avenue.
Question. In the public street—not in the poll-room?
Answer. No, sir.

Question. Not in the room where the canvassing was going on?
Answer. No, sir; it was not in the room where the canvassing was going on.
JOHN R. HARGIN.

Attest: JOHN R. BRADY, *J. C. P.*

[Mr. Phelps, counsel for Mr. Dodge, having called Las Casas L. Dean, under the impression and firm belief that his name had been put upon the notice so that he could be examined, but discovering at this minute, when the witness is in the presence of the court, that his name is by mistake omitted from the list, and his testimony being, on that account, objected to by Mr. Brooks's counsel, Mr. Phelps wishes this note to be entered, in order that when he produces, by hearsay from Mr. Dean, the testimony which he purposed to obtain from Mr. Dean, the counsel for Mr. Brooks may not complain that they had no opportunity to examine the said Dean.

Mr. Anthon, counsel for Mr. Brooks, called the attention of his honor to the fact that, before the last entry was reduced to its present form, Mr. Phelps stated that he would prove what Mr. Dean had to testify by getting him (Dean) to tell him (Mr. Phelps) what he had to testify, and thereupon Mr. Anthon renews his objection, on the additional ground that such a course is an evident means of fraud, by enabling the contestant designedly to omit from the list of witnesses the name of a person whose testimony he desires to put in in a circuitous manner, without due correctness, and without opportunity for cross-examination.]

Russell Myers recalled.

[Objected to, on the ground that the right to examine this witness is exhausted, he having been once called, having testified, and no new notice having been given.]

Mr. PHELPS:

Question. Where do you live?
Answer. 415 Third avenue.
Question. In what district?
Answer. I reside in the third.
Question. Did you ever reside in the seventh district of the Twenty-first ward?
Answer. No, sir.
Question. Are you acquainted with the seventh district of the Twenty-first ward?
Answer. Some considerable.
Question. Do you know if (in Thirty-eighth street) Robert Porter, who voted from the residence 125 East Thirty-eighth street, lived there?
Answer. Robert Porter—no, sir.
Question. Did John Smith, who voted from 134 East Thirty-eighth street, live there?
Answer. He does not live there, and it is out of the district.
Question. A. Smith, who voted from 135 East Thirty-eighth street—did he ever live there?
Answer. No, sir; he never lived there.
Question. Pat. Cilen, who voted from 145 East Thirty-eighth street—did he ever live there?
Answer. No, sir.
Question. Did James Smith, who voted from the same house, ever live there?
Answer. He never lived there, sir. He's a bounty-jumper.

Question. What makes you think he is a bounty-jumper?
Answer. From information derived from there.
Question. From that house?
Answer. From that house.
Question. Otto Aher, who voted from 201 in this street—did he ever live there?
Answer. There is no such man lives there, or ever lived there.
Question. Pat. Wynne, who voted from 621 East Thirty-eighth street?
Answer. I couldn't find the house; 201 is the lowest number in the street.
Question. James Rea, who voted from 121?
Answer. There's no such number in the street; it's out of the district.
Question. John Capet, of 443?
Answer. There's no such place as 443.
Question. Francis Conta, who voted from 128?
Answer. There's no such number in the district.
Question. Do you know what district it would be in?
Answer. It would be in either the eighth or the ninth; I think it's the eighth district; I don't know whether Thirty-eighth street divides that district or not.
Question. Did Colin Baldwin, who voted from Thirty-eighth street, between First and Second avenues, live in the district to your knowledge?
Answer. I couldn't find him, sir; he wasn't known by the oldest resident on the hill.
Question. Did John Ulven ever live in the district?
Answer. I couldn't find him, sir, either.
Question. Did Pat. Fitz Simmons?
Answer. Pat. Fitz Simmons told me himself he didn't, and there was no other man of the name on the hill; he didn't vote at the December election; he's a shoemaker.
Question. Did you inquire for Peter Dallen, who voted from Thirty-eighth street, between First and Second avenues?
Answer. I did, sir, and couldn't find him.
Question. How about Edward McCluskey, whose direction was the same?
Answer. The same way.
Question. How about Thomas Mulbey?
Answer. The same, sir.
Question. Were those parties whom I have spoken of as living in Thirty-eighth street, between First and Second avenues, put down in that way upon the poll-list?
Answer. Yes, sir.
Question. Why wasn't the number of the street given?
Answer. Well, the house wasn't high enough, I guess, to get the number on; they are all shanties—huts.
Question. What is the nature of the ground around Second avenue at Thirty-eighth street?
Answer. Shanties on the hill, scattered in every direction.
Question. Is it laid out in streets with any regularity?
Answer. No, sir; nothing more than a street running through from east to west; Second avenue is built on the east side; there's no streets along the hill; it goes serpentine, every way.
Question. Now, we will go into Thirty-ninth street. Did you inquire for Pat. Reilly at 130?
Answer. I did, sir.
Question. What answer did you get?
Answer. He didn't live there.
Question. At 131 did you inquire for Pat. Mooney?
Answer. Patrick Moveny.

Question. Did he live there?
Answer. No, sir.
Question. Did Michael Fail live there?
Answer. No, sir.
Question. In 139 did you find Pat. Golden?
Answer. No, sir; he's been dead three years.
Question. Did you find 191 Thirty-ninth street?
Answer. No, sir.
Question. Then you didn't find Cornelius McLaughlin, who voted from 191?
Answer. He voted from 191 and 192. There is no such number as 191, and 192 is John Tracy's house. I couldn't get no information at all whether the party lived there or not.
Question. Is number 113 Thirty-ninth street in the district?
Answer. No, sir.
Question. Then Henry Hudder, who voted from 113, ought not to have done so?
Answer. Yes, sir.
Question. Is there any such place as 541 Thirty-ninth street?
Answer. No, sir.
Question. Then John Keller, who voted from 541, was not found?
Answer. No, sir.
Question. Could you find a Joe Johnson, who voted without any address?
Answer. No, sir.
Question. Did you inquire thoroughly?
Answer. Yes, sir.
Question. Was there any such place as 162 Thirty-ninth street?
Answer. No, sir.
Question. Then you didn't find Charles Brombieser, who voted from there?
Answer. No, sir.
Question. Well, now, on Dutch hill could you find a Pat. Monaghan?
Answer. No, sir; he's unknown.
Question. On Dutch hill, did you inquire for John Gannon?
Answer. Yes, sir.
Question. What answer did you get?
Answer. He's been dead two years.
Question. Did you inquire at that same place for James Will?
Answer. Yes, sir.
Question. Did you find him?
Answer. No, sir.
Question. Did you find any person who knew anything about him?
Answer. Couldn't find anybody that knew him.
Question. Did you look on Dutch hill for Patrick Ganey?
Answer. Yes, sir.
Question. Did you find him?
Answer. No, sir.
Question. Did you find Thomas McDermott?
Answer. Thomas McDermott hadn't lived there for two years—either hadn't lived there, or was dead; I haven't my memorandum.
Question. Did you inquire in Thirty-ninth street, First and Second avenues, for Barney Maguire?
Answer. Yes, sir.
Question. Did you find him?
Answer. Nobody knew him.
Question. Did you find Pat. Winten?
Answer. No, sir.
Question. Did you find Owen Larkin?

Answer. No, sir.
Question. Edward Bannen?
Answer. No, sir.
Question. Did you find James Gurgan?
Answer. No, sir.
Question. Did you find Hermann Larkin?
Answer. No, sir; they said he lived in Forty-fifth street; I know him; there is a man of that name.
Question. Did you inquire for Thomas Clooney?
Answer. Yes, sir; he was unknown.
Question. Did you inquire for James McLarney?
Answer. Yes, sir; he was unknown.
Question. In the same place, Thirty-ninth street between First and Second avenues, did you inquire for Pat. Ross?
Answer. Yes, sir; he's been dead three years.
Question. Did you inquire for Owen Butler?
Answer. He hadn't lived there in eighteen months.
Question. Did you inquire for Francis O'Bray?
Answer. Yes, sir; he wasn't there.
Question. Did you inquire for Peter Maloney?
Answer. He hadn't lived there in eight months.
Question. Did you inquire for Pat. Lynch?
Answer. Unknown.
Question. Did you inquire for Peter Marion, or for R. Mellen?
Answer. Yes, sir; unknown.
Question. For Hugh Gormley?
Answer. Unknown
Question. Did you inquire for J. Hahn?
Answer. Yes, sir; unknown.
Question. Did you inquire for Pat. Denley?
Answer. Yes, sir; corner of Second avenue; unknown.
Question. How were these parties put down on the poll-list?
Answer. Thirty-ninth street, First and Second avenues, with the exception of Denley; that's on the corner of Thirty-ninth street.
Question. What do they generally call this place?
Answer. Some calls it "Dutch hill," and others "Clare hill"—that is, they are from the county Clare, I suppose.
Question. How many shanties should you think there were on it?
Answer. It is hard to tell; there may be forty.
Question. Are there any large houses on it?
Answer. No, sir.
Question. Are there any brick houses?
Answer. No, sir.
Question. It is covered entirely with shanties?
Answer. Yes, sir.
Question. Are you familiar with the hill?
Answer. I have been; yes, sir.
Question. How happened you to be familiar with this Dutch hill?
Answer. I have done police duty several years ago there—for two years and odd, day and night, when it was more thickly peopled than it is now.
Question. How much of the time during those two years did you spend on the hill?
Answer. Well, I spent considerable time up there; we never used to go on the hill only when we were called.
Question. Was it in your beat?
Answer. Yes, sir.

Question. For two years?

Answer. Well, off and on; sometimes we changed for a month or two months, and back again.

Question. Now, we'll go into Third avenue. Did you inquire for A. P. Shawenton?

Answer. Yes, sir.

Question. He voted from 539 Third avenue; is that in the district?

Answer. No, sir; it's in the sixth district.

Question. Where is 726 Third avenue; is it in the Twenty-first or the Nineteenth ward?

Answer. In the Nineteenth ward, if there is such a number.

Question. Then Pat. Levins was not a legal voter of this second district, who voted from 726?

Answer. No, sir.

Question. Is 529 Third avenue in the district, or out of it?

Answer. It is in the sixth district.

Question. Then E. A. Austin ought to have voted in the sixth district?

Answer. Yes, sir.

Question. Hugh Berrian voted from 447 Third avenue; is that in the district?

Answer. No, sir.

Question. E. Delmight voted from 535 Third avenue.

Answer. He had moved from there last September; he lives on the Second avenue.

Question. Did you inquire for Pat. Roche at 567?

Answer. Yes, sir.

Question. Did he live there?

Answer. No, sir.

Question. Did you inquire for James Geoghegan at 549?

Answer. He didn't live there.

Question. Did you inquire for Dennis Quinn?

Answer. He never lived there—for a year or so.

Question. Two men—J. M. O'Neil and E. R. Leavey—voted from 557 Third avenue: did you inquire for them?

Answer. I did, sir.

Question. Did you find them?

Answer. No, sir; it's a church. There is an oyster saloon there and a drug store, and a dry-goods store; they never had any residence there.

Question. Did you inquire in all three places?

Answer. Yes, sir.

Question. James O'Neil voted in this district, who lives at 747 Third avenue.

Answer. Out of the district, sir.

Question. Pat. Daly voted from 577 Third avenue; did you inquire for him?

Answer. He's not a citizen, sir.

Question. James B. Barlow voted from the same place.

Answer. He's not a citizen, but voted.

Question. What makes you think he is not a citizen?

Answer. From information derived from parties in the house. I couldn't find out the party himself.

Question. Did John Brunner live at 547?

Answer. He didn't live there.

Question. Did B. S. Smithwick live in that house?

Answer. He did not, sir.

Question. Did Thomas Movine live in 553?

Answer. No, sir.

Question. Did James Gallagher live in 575?

Answer. He did not, sir.

Question. Now we'll go into Fortieth street. John Austin was one of the voters in this district, who lives at 106 Fortieth street; is that in the district?

Answer. It's not in the district; it's in the eighth district, and he doesn't live in that house.

Question. John Hanck voted from 114 Fortieth street.

Answer. That's not in the district.

Question. Robert Fielding, jr., voted from 120½ Fortieth; is that in the district?

Answer. It is not, sir.

Question. Abraham Terhune voted from 120.

Answer. That's not in the district.

Question. Charles Bindon voted from 104; did you inquire for him?

Answer. It was a stable; no such party ever lived there.

Question. William Yelmer voted from 138 Fortieth street.

Answer. There's no such person ever lived there.

Question. Charles H. Kelson voted from 149; what ward is that in?

Answer. The Nineteenth.

Question. Is the Nineteenth ward in this congressional district?

Answer. No, sir; it's on the north side of Fortieth street.

Question. Frederick Hendricks voted from 152; what did you find out about him?

Answer. It's a stable or shed; no person lives there.

Question. W. T. Ryan, 153; what ward is that in?

Answer. The Nineteenth.

Question. Isaac L. Lent, 174; what did you find out about him?

Answer. It's a stable; no such person ever lived there.

Question. T. J. Prankard?

Answer. There's no such person to be found in Fortieth street.

Question. Did you inquire of parties who were well acquainted in the district?

Answer. I did, sir.

Question. Thomas Hannigan voted and gave no place of residence.

Answer. There is no such person in Fortieth street.

Question. Wiliam Kelly voted from 211.

Answer. There's no such number; it's in the Nineteenth ward.

Question. James Costello, First and Second avenue and Fortieth street: would that be Dutch hill?

Answer. Yes, sir.

Question. Did you find Mr. Costello?

Answer. He was unknown.

Question. Did you find Pat. Tracy, who voted from the same place?

Answer. He has been dead three years.

Question. Did you find John Finnen, who voted from the same place?

Answer. Unknown.

Question. Did you find Francis Bradley?

Answer. No, sir.

Question. John Colden?

Answer. No, sir.

Question. John Elsner?

Answer. No, sir.

Question. Peter McNairy?

Answer. No, sir.

Question. Did you inquire for E. Sullivan at 140 East Fortieth street?

Answer. No such party had lived there.

Question. James J. Bevas, at 144?

Answer. No such party lived there or had lived there.

Question. For Hugh Killeen, 164?
Answer. Unknown.
Question. Samuel B. Van Duser, 144?
Answer. Unknown, sir.
Question. Now we'll go into Second avenue: John Wurgan voted from 720 Second avenue?
Answer. There is no such number, nor no such person.
Question. Here are three men, namely, Benjamin B. Bancker, John Dunn, Henry C. Baven, who voted from 755 Second avenue; what ward is that in?
Answer. The Nineteenth ward.
Question. Pat. Wynne voted from 760 Second avenue; what ward is that in?
Answer It's out of the district altogether.
Question. Frank Kilkenny voted from 772?
Answer. That is the Nineteenth ward.
Question. Chris. Nohouse votes from 748 Second avenue?
Answer. I couldn't find the man.
Question. Is 748 in the district?
Answer. It ought to be in the district; he doesn't live there.
Question. Thomas Kane, 569 Second avenue?
Answer. That's out of the district.
Question. Daniel J. Dane, 652?
Answer. Out of the district.
Question. Michael Leary, corner of Thirty-ninth street and Second avenue?
Answer. No such person lived there.
Question. Edward K. Kerrigan?
Answer. He's a fraud of the biggest kind; he never lived there.
Question. Robert Walker?
Answer. He never lived there.
Question. Peter Golding, 725?
Answer. Peter Golding lived in the Nineteenth ward on election day.
Question. How do you know that?
Answer. From the information of parties there on the avenue.
Question. Did Pat. Carroll live at 724?
Answer. There's no residence there, sir.
Question. Did John Donnelly live there?
Answer. He died before election.
Question. Did David Montgomery live at 547? Is that in the district?
Answer. 547 is not, sir.
Question. Thomas Paff, who voted from 744?
Answer. He was not home on election day; he was a soldier in the war.
Question. James Geoghegan, 726; did you find him?
Answer. He has lived in the Nineteenth ward for near two years.
Question. How do you know that?
Answer. I got it from his cousin.
Question. Do you know the name of his cousin?
Answer. Yes; Stephen Geoghegan.
Question. Miles Burke voted from 742?
Answer. He didn't live there.
Question. Francis Armstrong voted from 724?
Answer. He didn't live there.
Question. Thomas Butler voted from 722?
Answer. No, sir, he didn't live there.
Question. Did M. Miller live there?
Answer. No, sir.
Question. How much time have you given to this search after voters?
Answer. I have given about going on three months.

Question. Where did you get the names from?

Answer. A certified copy of the poll-list.

Question. Did you search for every man whose name was down on the poll-list?

Answer. I searched only for particular men, who were supposed to be suspicious; I searched for every man; I went to the house and searched for every party; I don't mean every man whose name you have spoken of, but every man whose name was down on the poll-list, whose name was voted; I can't say I looked for every one; there was some that I knew.

Question. You looked, then, for those men that voted?

Answer. I looked for every one; as I went to the different houses probably I might have missed some.

Question. When you went to the house did you inquire of more than one person?

Answer. I inquired of one at a time.

Question. Did you question more than one in a house?

Answer. Yes, sir; some would send me up stairs, and say they thought he was up stairs.

Question. On this Dutch hill had many of the shanties any second story?

Answer. I didn't discover any second story.

Question. How many of the shanties on this Dutch hill have a second story?

Answer. None, to my knowledge.

Question. What would be the largest number of voters that you would think could get into these shanties to live?

Answer. About two.

Question. Are they large or small shanties?

Answer. Small.

Question. Are they built for single families, apparently, or for tenement purposes?

Answer. For single families.

Question. Was your search so thorough, and was your knowledge of the district derived from your two years' acquaintance with it, and parties living in it, such as to warrant you in feeling sure that these parties, with reference to whom I have questioned you, were not legal residents of the district?

Answer. It's my firm belief they are not, from evidence I have got myself.

[The further examination of this witness was postponed for the present.]

John Carland sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 129 Thirty-first street; right on this block here.

Question. You voted for member of Congress on the 8th of November last?

Answer. I did, sir.

Question. Where did you vote?

Answer. Corner of Thirty-first and Second avenue.

Question. For whom did you vote?

Answer. For Congress I voted for Mr. Dodge.

Mr. ANTHON:

Question. Is there any uncertainty about the place of your residence?

Answer. I believe not, sir; I lived there six years.

Question. Is it west or east?

Answer. East; right across the way here.

Question. What is your business?
Answer. I am in the butcher business at present.
Question. Did you examine the ticket you voted?
Answer. I did, sir.
Question. Read it?
Answer. Yes, sir.
Question. Do you remember reading the name of Mr. Dodge upon it?
Answer. Yes, sir.
Question. How long have you resided in this district?
Answer. Six years next May.
Question. Are you a member of any republican organization?
Answer. No, sir; don't belong to no party at all.
Question. At whose request did you come here this evening?
Answer. At Mr. Dodge's.
Question. Did he see you personally in regard to it?
Answer. He did, sir.
Question. Had you any bet upon the election?
Answer. No, sir; I ain't a man of that kind, sir; I don't bet on nothing.

JOHN CARLAND.

Attest: JNO. R. BRADY, *J. C. P.*

Adjourned to Saturday, March 25, 1865, at 10 o'clock a. m.

SATURDAY, *March* 25, 1865.

John B. Winslow sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 121 Thirty-third street.
Question. Did you live there on the 8th of November last?
Answer. No, sir.
Question. Where did you live on the 8th of November last?
Answer. I lived 137 East Thirty-first street.
Question. Did you vote for member of Congress on the 8th of November last?
Answer. I did.
Question. Who did you vote for?
Answer. William E. Dodge.
Question. Do you remember where you voted?
Answer. I do.
Question. Where?
Answer. On the corner of Thirty-first street and Second avenue, in a rum-shop.

Mr. ANTHON:

Question. What is your occupation?
Answer. A machinist.
Question. Whereabouts did you at that time work?
Answer. I worked for William Miller, corner of Twenty-ninth street and First avenue.
Question. Did you examine your ticket?
Answer. I did, sir, before I went from the house.
Question. Your ticket didn't go out of your possession from the time you examined it until you voted it?
Answer. No, sir.

Question. Did you make any bets upon the election?

Answer. No, sir; that's something I never do.

Question. When did you move to 121 East Thirty-third street?

Answer. I moved, I can't tell you the exact date, unless you can tell me when Mr. Colby died.

Question. This month?

Answer. I think it was in January.

Question. Who lives at 137 East Thirty-first street?

Answer. I don't know; there was a French family moved in when I went out.

Question. Who lived there when you left?

Answer. Mr. Colby and William J. Gurner. If Mr. Colby had lived I should have lived there now probably.

Question. Where did you vote in December last—at the December election

Answer. I didn't vote at all in the December election.

Question. Why not?

Answer. I hadn't been here, I think, long enough quite.

Question. Hadn't been where?

Answer. They told me I hadn't been here long enough to be a voter.

Question. Do you mean last December?

Answer. Yes, I think I didn't vote at all last December.

Question. Do you know why you didn't?

Answer. No; I had no particular reasons that I know of.

Question. Do you have any letters or papers coming to you from Thirty-first street?

Answer. No, sir.

Question. Do you ordinarily receive letters or papers at your residence?

Answer. Yes, sir, all my letters come to my residence.

Question. Do you know the name of the French family living in Thirty-first street?

Answer. I do not; they haven't been in New York long.

Question. Are there any persons in Thirty-first street now who were there when you were there?

Answer. I couldn't tell you that; I don't know any except Mr. Hodges.

Question. What is his business?

Answer. A grocery man.

Question. Where is his grocery store?

Answer. Right on the corner of Thirty-first and Third avenue, the next building to the house I lived in.

Question. He doesn't sell any liquor there, does he?

Answer. I couldn't tell you; I never bought any there.

Question. You never saw any people go there to get liquor?

Answer. I never did, sir.

Question. The store is directly opposite to the place where the polls were held?

Answer. Yes, sir.

Question. The same business as at the opposite corner?

Answer. No, sir; Hodges keeps a grocery store, and the other man keeps nothing but rum.

Question. Are you sure of that?

Answer. I never seen anything else there; that's all I can tell you about it; that's all he professes to keep—a liquor store.

Question. Do you think if any one looked for you now in Thirty-first street they would be likely to find you?

Answer. No, sir; I don't think they would, unless they went to Mr. Hodges; he might know; whether he does or not, I can't tell.

Question. You don't think, then, that the poll-list of the last November election would be a correct guide to where you are to be found now, do you?

Answer. Well, I shouldn't suppose it would; I can't tell anything about that; when folks are moving around they are not likely to go to the polls to have their names registered until the election comes round again.

Question. If I were to take that poll-list with your residence set down, 137 East Thirty-first street, and swear that because I couldn't find you at 137 Thirty-first street, you were an illegal voter, I would be doing a very foolish thing, wouldn't I?

Answer. I should think you would, until you had tried to find further evidence.

Mr. PHELPS:

Question. Are you sure that your number wasn't 157 instead of 137?

Answer. It was 157.

Mr. ANTHON:

Question. Did you ever see how it was put down on the poll-list?

Answer. I saw it wrote; yes, sir.

Question. On the poll-list?

Answer. Yes, sir.

Question. When you voted?

Answer. No, sir; I couldn't see it then.

Question. You don't know whether the name or address were written correctly on the poll-list?

Answer. I didn't see the poll-list; what the man wrote I didn't see, nor anybody else.

Mr. PHELPS:

Question. If I should go now to 157 Thirty-first street and ask the parties living there if you had lived in that house, what answer would I probably get?

Answer. I couldn't tell you, sir.

Question. If I asked how long they had lived in the house, would they refuse to tell me, do you suppose?

Answer. I presume not.

Mr. ANTHON:

Question. How did you chance to come here to-day? who induced you to come?

Answer. That is more than I can tell you.

Question. How did it happen?

Answer. I was invited here.

Question. By whom?

Answer. That's more than I can tell you.

Question. Have you seen the person who invited you, in the room to-day?

Answer. I have.

Question. Point him out, if you please.

Answer. This is the gentleman—[pointing to Mr. Warren S. Taylor.]

JOHN B. WINSLOW.

Attest: JNO. R. BRADY, *J. C. P.*

Peter Kennel sworn.

[Objected to, on the ground that this witness having been once examined, and no new notice having been served, the notice is exhausted.]

Mr. PHELPS:

Question. Is Mr. Sullivan a relative of yours?

Answer. He's a father-in-law of mine.

Question. Is he an old man or a young man?

Answer. He is an old man, sir.

Question. Is he well or in feeble health?

Answer. He is well, but his sister is dead, and he has got so much business to do that he couldn't come up here, and I thought I would come up for him.

Question. What is the number where he lives?

Answer. 160 Thirty-first street.

Question. Do you live with him?

Answer. No, sir; I live in the Second avenue.

Question. Have you heard him say how he had voted for member of Congress at the last election?

Answer. I have heard him say; I asked him who he voted for and he told me; and I have heard him say at different times after, again, that he voted for William E. Dodge, and he told me before the election that he intended to vote for him.

Question. You are positive that Mr. Sullivan both said before that he had the intention, and subsequently said that he carried out the intention of voting for William E. Dodge?

Answer. Yes, sir.

Mr. ANTHON:

Question. Your father-in-law could have come here if he had chosen?

Answer. I don't think he could possibly, because the time is so short for him now—he has got to attend to this funeral arrangement—that he could hardly come here.

Question. Who is it that is dead?

Answer. A sister of his.

Question. When did she die?

Answer. On Thursday.

Question. At any time before his sister's death he could have come here, couldn't he?

Answer. Well, I don't know. Perhaps he could.

Question. There was nothing that you know of to prevent it, was there?

Answer. Not that I know of.

Question. There is nothing to prevent him from attending on any evening next week that you know of?

Answer. I couldn't tell; I don't know whether he could come or not.

Question. He could if he chose?

Answer. I think if he chose he could come.

Question. When did you ask him who he had voted for?

Answer. I had asked him before the election.

Question. I asked you when you asked him who he had voted for?

Answer. I couldn't just tell you the exact date, but it was after the election.

Question. How long?

Answer. It was different times—shortly after, and between that and this again.

Question. Did any one request you to ask him?

Answer. No, sir.

Question. Did you ask him since your examination or before?

Answer. I have asked him before.

Question. Did you ask him whether he saw his ticket or not?

Answer. I didn't ask him that question.

Question. Did you ask him where he obtained his ticket?

Answer. No, sir, I didn't.

Question. Did you ask him whether he had made any bets on the election?

Answer. He didn't make any bets.

Question. Did you ask him?
Answer. I didn't ask him.
Question. He might have made bets without your knowing anything about it?
Answer. I don't know; he is not a man that way.
Question. You don't keep perpetual watch over him—put him into bed in the evenings and wake him up in the mornings, do you?
Answer. Oh, no.
Question. How long has he lived at 160 East Thirty-first street?
Answer. I suppose he has lived there in the neighborhood of two years and a half.
Question. Who asked you to come up here to-day and be re-examined?
Answer. Well, Mr. Taylor here asked me.
Question. When did Mr. Taylor ask you?
Answer. He asked me some day last week, I believe, and he asked me to-day.
Question. What did he ask you? how your father-in-law had voted, or to come up and swear in a particular way?
Answer. I had told him that; he asked me to come up here.
Question. When did you tell him about your father-in-law?
Answer. Last week.
Question. Did he know your father-in-law?
Answer. No, sir, I believe not.
Question. Had you known him before?
Answer. I had known him since the election.
Question. How did you become acquainted with him?
Answer. By a brother-in-law of mine. I seen him up in that house one night.
Question. What is his name?
Answer. Hunzinger.
Question. What was his business up there?
Answer. Political matters, I suppose.
Question. What political matters?
Answer. Well, to see who they were going to vote for—who was the best man.
Question. Was that before the election?
Answer. It was not before the November election; it was before the December election, I believe.
Question. What was the first thing he asked you?
Answer. It's pretty hard to say.
Question. Was it not how you voted at the November election?
Answer. No; he never did ask me that, if I mistake not.
Question. How did he find out?
Answer. I suppose my brother-in-law has told him so.
Question. Then, it was at his request that you came up here to-day?
Answer. Not altogether his; my brother-in-law asked me to come up here this morning.
Question. Do you know anything about Mr. Taylor—what his business has been?
Answer. No, sir.
Question. Have you ever heard anything about him from other people?
Answer. No, sir.
Question. The only knowledge you have of him is in connexion with this election business?
Answer. That's all, sir.

PETER KENNEL.

Attest: JNO. R. BRADY, *J. C. P.*

[Mr. Anthon, counsel for Mr. Brooks, objects to the testimony of this and the succeeding witness because their testimony has been exhausted on a previous

occasion, and they cannot, therefore, be legally recalled; and secondly, because the sitting member, by agreement, is entitled to the cross-examination of Mr. Myers before proceeding to other testimony.

Mr. Phelps, counsel for Mr. Dodge, states that he did not understand that Mr. Myers's cross-examination should be the first thing in the order of the long day's examination; also, that Mr. Dodge's counsel thought it best, first, to examine three short witnesses, whose business engagements would prevent their attending through the day.]

William D. Chase recalled.

Mr. PHELPS:

Question. You stated upon your previous examination that you were inspector of the fifteenth district of the Eighteenth ward?

Answer. I did.

Question. You said that one of your associates was Mr. Hall?

Answer. Yes, sir.

Question. What are the initials of Mr. Hall?

Answer. His full name is Thomas J. Hall.

Question. What is the present residence of Mr. Hall?

Answer. Huntington, Long Island.

Question. Do you know if, at the time he acted as inspector, that was his residence?

Answer. It was not, sir.

Question. Do you know what it was?

Answer. Sixteenth street—I think No. 47.

Question. Was Mr. Hall appointed by the board of supervisors to act as inspector of this district?

Answer. He was not appointed by the full board of supervisors, sir

Question. Was he appointed by an individual supervisor on the day before?

Answer. Not on the day before, as I was informed.

Question. When was his appointment made?

Answer. His appointment by the supervisors?

Question. Yes.

Answer. During the day of election I was informed.

Question. Had he already acted at some time when he received the appointment?

Answer. Yes, sir.

Question. Did he state himself at what time of day he was appointed?

Answer. He informed me that he thought it was the afternoon, but modified it so far as was possible, that it was the forenoon.

Question. Did he leave the poll to get the oath administered by Mr. Briggs, or did Mr. Briggs come there to the polling place?

Answer He was there once during the day, I believe.

Question. About what time of the day was it that you saw Mr. Briggs?

Answer. I should think it was about 11 o'clock.

Question. Did you see him then administering the oath?

Answer. I don't remember seeing him doing it.

Question. Was W. Hall present at the opening of the polls?

Answer. He was not.

Question. After the opening, how long was he present?

Answer. I should say about one hour, sir.

Question. He acted from that time until he was sworn in by Mr. Briggs without any appointment?

Answer. So I was informed, sir.

Question. There was a third associate in your board of inspectors?
Answer. There was, sir.
Question. And his name was what?
Answer. I don't remember, sir.
Question. Did he produce his credentials when he appeared in the morning?
Answer. He did not.
Question. Did you ask him for them?
Answer. I did.
Question. What reason did he give for not having them?
Answer. I don't know that he gave any reasons for not having them; he said he hadn't them. I feared I would lose time in compelling him to get them, and I wouldn't insist upon his getting them.
Question. Was this a young man—this third inspector?
Answer. Well, yes; I should say so.
Question. Did this inspector find any fault with you during the day for your delay in the discharge of your duties?
Answer. No, sir.
Question. Did he make any objections or any protest against your conduct in any particular during the day?
Answer. I didn't hear him, sir.
Question. Didn't you endeavor to discharge faithfully and conscientiously your duty as inspector, without any attempt to unnecessarily delay the election?
Answer. I did, sir.
Question. Did you ever have any conversation with Mr. Owen McLaughlin?
Answer. Yes, sir.
Question. Did he state anything to you with reference to the number of times he voted on the 8th of November last?
Answer. Yes, sir.
Question. How many times did he say that he voted?
Answer. Three.
Question. Did he state where?
Answer. The fourth, sixth and seventh districts of the Twenty-first ward.
Question. Did he say what tickets he voted?
Answer. He voted twice for Mr. Brooks, and once for Mr. Dodge.
Question. Did you have any conversation with John Coughlin?
Answer. I did, sir.
Question. Did he tell you how many times he voted?
Answer. He told me he had voted twice, sir.
Question. Did he say where he voted twice?
Answer. The fourth and seventh districts of the Twenty-first ward.
Question. Did he say for whom he voted?
Answer. He stated that he voted for Mr. Brooks.
Question. Do you know where either of these men live?
Answer. One of them lives in Thirty-fourth street, and the other in Thirty-sixth street.
Question. Do you remember whether Mr. McLaughlin's residence was 165 East Thirty-sixth street?
Answer. That is my recollection of it.
Question. And John Coughlin at 194 East Thirty-fourth street?
Answer. That's the number.

Mr. WATERBURY:

Question. In what election district was Mr. Hall's residence at the time of the last election?
Answer. Well, I don't know that I can tell you the number of the district,

but I think it was the fifth; he voted corner of Seventeenth street and Third avenue.

Question It was not in the fifteenth election district?

Answer. No, sir; he was not a resident of that district.

Question. What time did you open the polls on the morning of election?

Answer. As soon as I could find them; some little time after sunrise; I can't tell.

Question. About how long?

Answer. Well, perhaps—I shouldn't say it was more than ten minutes.

Question. How long was it after you reached the place where the polls were held before you opened the polls?

Answer. As soon as we could organize.

Question. Did you open the polls before Mr. Hall came?

Answer. Yes, sir, we did; and proceeded, I should say, an hour before he came.

Question. You say you demanded Mr. Brennan's credentials?

Answer. I asked a man who came as inspector for his credentials.

Question. Had you any right to require them?

Answer. I thought it was proper.

Question. Did he demand your credentials?

Answer. I don't know that he did. I have always been asked for mine by strangers, and I asked him in the same way. I presented mine and asked him for his.

Question. Did you take any steps to open the polls before Mr. Brennan went on to open them without you?

Answer. I don't recollect that he went on to open them without me.

Question. Did or did not Mr. Brennan take any steps towards opening the polls before you did?

Answer. Not that I know of.

Question. You don't know?

Answer. I don't know that he did; I don't remember that he did.

Question. How many minutes after sunrise was it that you arrived at the place at which the polls were held?

Answer. I should say from five to ten minutes.

Question. Did you vote before you went to that place?

Answer. I did not.

Question. You live in Twenty-sixth street?

Answer. I do, sir.

Question. When you left your house which way did you go?

Answer. I then resided in Twentieth street, between Fourth avenue and Broadway.

Question. When you left your house which way did you go that morning?

Answer. I don't know that I can tell you, excepting that I went down the Fourth avenue, it appears to me, and down Fifteenth street, I think; I think I did; I think I recollect passing Stuyvesant park, or else down Sixteenth street; I can't tell, really.

Question. How much was it before or after sunrise when you left your house that morning?

Answer. It was before sunrise.

Question. How long before?

Answer. I can't tell, but it was before, at all events; and I presumed that if I went directly to the place, that I should be there at sunrise.

Question. Did you go directly to the place?

Answer. Not at first.

Question. Where did you first go that morning?

Answer. I went into avenue B, somewhere, but whether it was Fifteenth or

Sixteenth street in avenue B I can't say; and then I went to the corner of Fifteenth street and avenue B; I think it was Sixteenth street; then I came to Fifteenth street in avenue B, when I was informed that the election was to be held at Fifteenth street, and I went there.

Question. How far up Fifteenth street was the place of holding the election?

Answer. I didn't measure it, sir; I can't tell.

Question. Was it not the rear building on the corner?

Answer. Well, I can't say that it wasn't, but I shouldn't suppose it was.

Question. When you reached that place did you see a number of people there

Answer. I did.

Question. Didn't that create the impression in your mind that it must be the place of holding the election?

Answer. I had been directed there, sir, from the corner.

Question. How long had you known Mr. Hall previous to that day?

Answer. I had known him for several years; I can't tell you how long.

Question. Where had your associations with him been?

Answer. Different places. I have known his residence in the city a number of years, and I have met him frequently.

Question. Have you ever had any political association with him?

Answer. We have belonged to the same political association.

Question. How came Mr. Hall to act as inspector that day?

Answer. He was appointed to fill a vacancy.

Question. By whom?

Answer. He was selected by the republican party on the evening previous. They had word on that evening that the gentleman who had been appointed and qualified couldn't serve, and it was necessary to fill the vacancy.

Question. How long was it after the polls were opened before he came there?

Answer. I should think about one hour.

Question. Did you offer to swear him when he came there?

Answer. I did, sir.

Question. Did you not act as chairman of the board from the time the polls opened?

Answer. I did.

Question. Was it not your duty to administer the oath to Mr. Hall if you permitted him to act as inspector?

Answer. I never considered it so.

Question. Did you administer an oath to Mr. Brennan?

Answer. I did not.

Question. Did Mr. Brennan consent to your acting as chairman?

Answer. Yes, sir.

Question. What duties did you perform that day—the details of the duties that you did as inspector of election, I mean?

Answer. I checked the book and received the votes.

Question. You acted as chairman of the board?

Answer. Yes, sir.

Question. You received the votes from the voters?

Answer. Yes, sir.

Question. You distributed those votes to your associates?

Answer. Yes, sir.

Question. You asked the voter his name?

Answer. Yes, sir; if he didn't give it.

Question. And you kept the registry list?

Answer. I kept one of them.

Question. Was there more than one there?

Answer. I think there was another kept there.

Question. Was there any other copy of the registry?

Answer. I know there was a man had a book there; I couldn't say whether it contained a copy of the registry.

Question. You kept the registry yourself?

Answer. Yes, sir.

Question. And found the names upon it?

Answer. Found the names.

Question. Found the names of persons that were challenged?

Answer. There were no challenges made to my recollection.

Question. Did you swear people that day?

Answer. I did.

Question Were there no oaths administered to any persons whose names were found upon the registry?

Answer. I think not, sir; I don't think of any instance now.

Question. You took all the evidence that was presented in regard to the identification of non-registered voters?

Answer. I took all the evidence that I wished; the others had an opportunity, if they chose.

Question. You took all the evidence?

Answer. I satisfied myself, sir.

Question. You took the evidence and did whatever was done in regard to the reception of soldiers' votes, did you not?

Answer. Well, there were no soldiers' votes deposited.

Question. Were there any presented?

Answer. Yes, sir.

Question. How many?

Answer. Well, I should say six or eight; I shouldn't think there were over ten.

Question. All day?

Answer. I should think not more than the number I have stated.

Question. What was done with them?

Answer. Well, they were withdrawn; the parties left before we could decide as to whether they were proper votes or not.

Question. What was done with the votes?

Answer I turned the votes over to the canvassers when they came with the other papers; those that were retained.

Question How many were not retained?

Answer. Three or four, I should think.

Question. How many were retained?

Answer. All the rest. I couldn't state definitely the number that were presented.

Question. How much time was taken up in regard to the reception or non-reception of any of those soldiers' votes offered?

Answer. I didn't take any account of the time, sir.

Question. How much would you suppose?

Answer. A very little.

Question. Don't you suppose that there was, in any one case, ten minutes taken at least before it was disposed of?

Answer. No, sir; I doubt whether there was twenty minutes occupied with soldiers' votes during the day—certainly not more than fifteen.

Question. With all of them?

Answer. With all of them.

Question. Did not the crowd waiting to vote express dissatisfaction with the delay in investigating the soldiers' votes?

Answer. They did. I recollect one instance particularly where there was dissatisfaction expressed.

Question. Don't you know that the unusual and unprecedented course assumed by you, in concentrating upon yourself all the duties of that election, instead of dividing them among your associates, according to the general practice, necessarily delayed the voting?

Answer. I don't believe, sir, the voting was delayed by the duties I took upon myself; I think, upon the contrary, the business would have been delayed if I had not.

Question. Could not one man look for a name upon a registry, if you had permitted it, while you were seeing if the votes were right, and distributing them to your colleagues?

Answer. I can't say in regard to that, sir. I don't know whether they could find the names as rapidly as I could.

Question. Can you not say whether or not two persons, doing two different things at the same moment, can do them quicker than one person do both?

Answer. If they possessed equal capacity I suppose they could.

Question. Did you see anything there to make you doubt Mr. Brennan's capacity?

Answer. I impeach no man's capacity, sir. Mr. Brennan performed his duty, so far as I know.

Question. Why, then, sir, was it necessary that, during the same space of time, a republican board of inspectors, in a strongly democratic district, should receive 300 less votes than a republican board of inspectors in the same ward should in a strongly republican district—the third?

Answer. May I ask what district?

Question. I allude to the third district, in the Eighteenth ward.

Answer. I think the reason was this, sir: that in that district that you speak of, which is a republican district, the business was despatched in an honest way. As the voters approached the polls, parties were there with a register, and gave to each voter the number that stood opposite his name on the book.

Question. Do you know that that was so in your district?

Answer. I know it was so in one district, but whether it was that district I can't say positively. And as they approached, the inspectors simply called out his name, such a number, and the inspector took the book and announced his name and number; so that there was great saving of time by not having to search the list entirely through by referring to the number to find the voter's name.

Question. Then why did you not expedite the business by leaving the poll-list in Mr. Brennan's hands, who knew the names better than you did?

Answer. I don't know that he did know them better than I did.

Question. Did you ask him?

Answer. No.

Question. Did you take any means to expedite the voting that day?

Answer. I thought the best means was to do as I did.

Question. What part of Twentieth street did you live?

Answer. No. 41, between Broadway and Fourth avenue.

Question. Well, now, Mr. Chase, can you tell me why a democratic board of inspectors in the second district, in which you voted, if you voted at all——

Answer. I voted in the nineteenth district.

Question. In that district there was a democratic board of inspectors. You have given a reason why you thought the vote might have been put in the third district; I ask you why you couldn't have received the votes in a democratic district as quickly as they were received in that republican district, where 300 more votes were received than your democratic district?

Answer. Probably I could if I had known the plan that they adopted; it never suggested itself to me. The first I knew of it was when I came to vote.

Question. After you voted, did you not know these means could be taken to expedite the vote by changing your plan?

Answer. I did not change my plan, and I don't think that I could have done it. A book may have been furnished to carry out their plan, and I presume if I had proposed that plan it wouldn't have been accepted.

Question. Don't you think that the reason that you were appointed to go to that district and hold the election was because you were a stranger and would be able to delay and retard the vote in that district?

Answer. I have no reason to suppose any such thing, sir; it was never suggested or hinted to me in any shape or form.

Question. Do you think it was not competent to find persons who could have conducted an election in that district by taking the usual course in regard to elections more expeditiously than you did?

Answer. I think I pursued the usual course.

Question. Did you ever know any other district in the city at which one person can perform at the same time the duties of chairman of the board and search the registry and systematically to investigate the votes at the same time?

Answer. I think so. If you ask me to specify a case perhaps I couldn't. I think I have done so myself.

Question. Don't you know that the custom is for one inspector to discharge the duties of chairman and the others to keep the registry list and see whether the names are upon it?

Answer. I don't understand that to be the universal practice, sir.

Question. Don't you understand it to be the general practice?

Answer. I don't understand it to be the general practice; I can't say that it is not.

Question. At the polls at which you voted did the chairman who received your vote himself look to see whether your name was upon the registry list?

Answer. The person who received my vote did not, sir. He announced my name and number. I don't think that either of the three that were officiating as inspectors did. I think some person in the rear had a book.

Question. It is your impression that at that district neither of the inspectors looked at the registry?

Answer. I think that neither of the three persons who received the votes of electors there looked at a book; I don't remember that they did. I know the voting was very rapid, and he received the votes and distributed them, and they all proceeded without waiting to put them on the books.

Question. To whom did you deliver your ballot; to Mr. O'Donnell?

Answer. I don't know what his name was.

Question. That district at which you voted gave a very large republican majority, did it not?

Answer. It gave a republican majority; I don't know how large.

Question. Do you know Mr. Francis O'Donnell?

Answer. I do not, sir.

Question. Do you know Mr. W. T. Hendricks?

Answer. No, sir.

Question. Do you know John Riley?

Answer. No, sir.

Question. There were three inspectors?

Answer. There was one gentleman receiving votes you have not mentioned. His name was Wetmore.

Question. What Wetmore?

Answer. I don't know what his first name is.

Question. What's his business?

Answer. Well, his father is an iron merchant, down town.

Question. And he was acting as inspector?

Answer. Yes, sir.

Question. Do you know that he was ever sworn?

Answer. I do not.

Question. Do you know either Mr. Hendricks or Mr. Riley?

Answer. I know William N. Hendrick.

Question. He was there, was he not?

Answer. I should say that he was one of the inspectors; it strikes me that he was, now I recall the matter. I think that he was there. I don't know William T. Hendrick. I presume that's the same man.

Question. What time did you close the poll in the fifteenth district?

Answer. The poll was closed at sunset, sir.

Question. Why did you close the polls at sunset?

Answer. I believed that the legal time for receiving votes had expired.

Question. Do you know anything in the words or substance of the law contrary to this: that the polls shall be kept open till the setting of the sun, and that no interruption or intermission of the same shall take place until the same shall be closed?

Answer. I don't think that there is anything contrary to that. I should take that as sufficient. I presume that the intention was that the poll was to be closed at sunset.

Question. Do you say that there is anything in the words that I have repeated to you that required you to close the polls at sunset?

Answer. Well, sir, I should. I should say that the plain meaning was that they were to be closed at sunset.

Question. Supposing that the law was also careful to state that the election should be held on one day, and that the canvass should take place when the polls were finally closed, without having one single word in any section of it requiring the polls to be closed at sunset; do you think then you were bound to close the polls at sunset?

Answer. Notwithstanding there was nothing in the law that required it to be done, with the quotation you made I should close at sunset.

Question. Supposing the court of appeals had several years previous—so that it is well known to be the law—made a decision containing these words: "the statute contains no words forbidding the poll to be held open after sundown, or rendering the election void if the poll be not opened and closed as therein required;" wouldn't you think it was your duty to pay respect to such decision, and to have kept open the polls rather than to have disfranchised many voters as you did?

Answer. I badn't any intention of overruling the decision of the court of appeals by any means. Nobody asked or demanded them to be kept open longer.

Question. You knew what the effect of your closing them would be?

Answer. I supposed that a very arduous day's work was done.

Question. I didn't suppose it was a pleasant day's work for you; but you knew there were a great many persons disfranchised by that course?

Answer. I doubt whether there was, sir.

Question. Were there not a large number of persons there anxious to vote?

Answer. There were persons there that appeared ready to vote.

Question. And they were deprived of the opportunity by your closing the polls?

Answer. They didn't vote after the polls were closed.

Question. Well, then, it was your closing the polls that deprived them of the opportunity?

Answer. I presume if the polls had been kept open all night, there would have been enough voting to have kept me busy.

Question. I know that you are one of the last men in the world that would takea

piece of property belonging to any man. I want to know if you would think right to take away people's political rights?

Answer. No, sir.

Question. Was not that the effect of your closing the polls?

Answer. I don't consider it so.

Question. I ask you this question squarely: whether or not you consider if the polls had been kept open for a longer period than you did, a number of other persons, claiming the right to vote there, would have voted?

Answer. I have no doubt they would.

Question. Then you have no doubt that by your closing them they were deprived of the opportunity to vote?

Answer. By the polls being closed they were prevented from voting.

Question. Did you during that day allow any person to vote unless his name was on the registry list, or unless he was identified, as required by law?

Answer. No, sir; not if I understand your question.

Question. Did you allow any person to vote unless you found his name on the registry list, or he was identified, as required by the law; did you allow any other than those classes of persons to vote?

Answer. Not if I understood the law, sir.

Question. Then if you had kept the polls open, there would have been no danger of any person voting except they were voters vouched for as the law required?

Answer. I shouldn't have consented to any voting that were not vouched for.

Question. Therefore there was no danger of illegal voting?

Answer. That I can't say. The legal questions would have been asked before I allowed them to vote; whether they would have answered truly or not, I can't say.

Question. How long have you known Owen McLaughlin?

Answer. Not very long, sir.

Question. How long?

Answer. Well, sir, I saw him for the first time this morning.

Question. How long have you known John Coughlin?

Answer. About as long as I have known the other gentleman.

Question. Where did you see them this morning?

Answer. I saw them in this vicinity.

Question. Whereabouts in this vicinity?

Answer. In this street.

Question. Whereabouts in this street?

Answer. I don't recollect the number.

Question. How did you become acquainted with them this morning?

Answer. There were other persons present, I believe; I happened to be with them.

Question. Was it in the street or in a building?

Answer. It was in a building.

Question. What building?

Answer. This building.

Question. Whereabouts in this building?

Answer. Second story.

Question. In the church room?

Answer. I don't know.

Question. What's your impression on the appearance of the room?

Answer. It may be used for various purposes. There was nothing particularly struck me as suggestive of a church about it; it might have been.

Question. Who were present? You say there were a number present.

Answer. Well, Mr. Dodge was present for one. I think only one more, and his name I don't know.

Question. Have you seen him here?

Answer. No, sir, (looking around;) I don't recognize him.

Question. Have you seen him here this morning in this room?

Answer. I don't know that I have.

Question. Do you know Mr. Russell Myers?

Answer. No, sir; not by name.

Question. Who introduced these two men to you?

Answer. I had no regular introduction.

Question. Who said that these were their names?

Answer. They said so themselves.

Question. Did anybody tell you that these were their names?

Answer. Yes, sir.

Question. Who?

Answer. Themselves.

Question. Anybody else other than those?

Answer. I don't remember that there did.

Question. You don't except from their statement whether those were their names or not?

Answer. That's all the evidence I have, sir.

Question. Then the whole of the evidence that you have given of McLaughlin and Conghlin was the testimony of two strangers, to you?

Answer. Yes, sir.

Question. Did you have any conversation with Mr. Dodge in relation to those witnesses?

Answer. I can't recollect of any that I had with him. I may of had a casual conversation with him.

Question. Tell me about the conversation that occurred. Did you go up and ask them their names?

Answer. During my interview with them I asked them their names?

Question. How came you to speak to them?

Answer. I was in pursuit of information; I supposed they were able to give it.

Question. What information were you in pursuit of?

Answer. As to their voting on the day of election.

Question. Why were you in pursuit of information as to their voting on the day of election?

Answer. I wished to inform myself in regard to that point.

Question. Why did you wish to inform yourself in regard to that point?

Answer. I had understood that they had voted more than once on that day.

Question. Who had you so understood from?

Answer. I think, sir, it was either from this gentleman, whose name I don't remember, (I don't know as I learned it at all,) or from Mr. Dodge.

Question. I wish you would look around this room and say if you see the person present?

Answer. (After looking around) I don't recognize him, sir, if he is present.

Question. How came you to go up stairs when you came here?

Answer. I didn't go when I first came.

Question. How came you to go up stairs when you did go?

Answer. I was invited up by Mr. Dodge.

Question. Did he tell you for what purpose he invited you to go up?

Answer. I think that I understood from him that those parties had statements to make similar to what I had given.

Question. What was done with the men after they made those statements—were they allowed to depart?

Answer. I presume so, sir.

Question. Is it your intention to make a complaint against them?

Answer. I have not formed any such intention.

Question. Do you consider that it will be or not your duty to make a complaint against those persons for what they said to you?

Answer. I have not had the matter under sufficient consideration.

Question. I ask you now to tell me whether you think that you will do so or not?

Answer. I should have to take time to reflect upon that.

Question. Do you consider that it is the duty of a good citizen to make complaints against persons in respect to whom he has become possessed of information that they have committed heinous offences?

Answer. Yes, I presume that it is.

Question. Do you not consider double and treble voting a heinous offence?

Answer. Yes, undoubtedly, it is a great offence.

Question. Then upon that it would be your duty to make a complaint against these men for the offence they confessed they had committed?

Answer. I shouldn't say that it was not my duty.

Question. I asked you if it will be your duty?

Answer. I can't say, sir.

Question. Has Mr. Dodge expressed to you any intention to prosecute these men?

Answer. No, sir.

Question. Do you or do you not think that a man who would commit the offence of voting more than once at the same election would tell a falsehood?

Answer. It wouldn't necessarily follow, I suppose, that he would tell a falsehood.

Question. Could either of those men have voted in three different districts without telling a falsehood?

Answer. I suppose they could; I don't know. Without uttering a falsehood, do you mean?

Question. Without telling a falsehood.

Answer. Well, if it is a falsehood for a man to present himself at the polls and announce his name and number in a district where he is not a voter, a man, I suppose, couldn't vote without telling a falsehood.

Question. Can a man vote without stating his residence?

Answer. No, I don't know how he can. You might say John Jones, 73 Centre street. If he says by that, "I live at 73 Centre street," when he don't, that would be a falsehood.

Question. Doesn't he say that?

Answer. He doesn't say "I live."

Question. Doesn't a man by going to the polls and giving a certain location, state that as his residence?

Answer. No doubt he intends the inspector to understand that to be his residence.

Question. And he so states, therefore?

Answer. Yes, in effect, I consider that he does.

Question. Can a man live in three places at once?

Answer. I don't see how he can, sir.

Question. Then each of them must necessarily have told one or more falsehoods in voting in the different districts?

Answer. I should say, in effect, that that was the case.

Question. (Pointing to Mr. Russell Myers.) Is this the person to whom you referred a while ago?

Answer. No, sir.

Question. Do you know Mr. Burchell?

Answer. No, sir.

Question. (Pointing to Mr. Andrew J. Brady.) Is that the man?

Answer. Oh, no.

Mr. PHELPS:

Question. Does your occupation give you considerable skill and experience in reading writing, and in figures?

Answer. Yes, sir; I can read writing very well, I believe.

Question. Did the belief that you were possessed of such skill form one of the reasons why you took the register? In other words, did you think that you would be as apt to do it quickly and efficiently, by reason of your habits, as either of the other two?

Answer. I believe that it would be performed quite as expeditiously and correctly.

Question. Did you consider it was your duty to complain against these men for voting twice, if the law declared that the complaint must be made within thirty days after election day, or otherwise not at all?

Answer. I shouldn't so consider it.

Question. Would it do any good?

Answer. I presume not.

Question. Then you wouldn't consider it the duty of a good citizen to make a complaint which would not lie?

Answer. No, sir.

Question. This district which Mr. Waterbury has referred to—in which was the Fifth avenue hotel—is that as new a district as the fifteenth?

Answer. No, sir.

Question. Is this the first time that the fifteenth district was ever voted in as a district?

Answer. Yes, sir.

Question. Would it naturally be supposed that it would require more care and watchfulness on the part of the inspectors in this new district than it would in one of the oldest districts?

Answer. I don't know, sir. Well, yes, so far as citizens being registered, the limits of the district not being so well known, I supposed that it would.

Question. Do you suppose that in this respect which I am about to state there was any difference between the Fifth avenue hotel district and the fifteenth, viz: whether, in the district where the Fifth avenue hotel is, the probability wouldn't be that a larger number of voters would be registered than in this new district?

Answer. I can't say, sir.

Mr. WATERBURY:

Question. How many voters voted at your poll that were not registered?

Answer. I don't know.

Question. How many do you think? Do you think there were fifty voted on affidavits?

Answer. Well, I should think there might be.

Question. Do you think there were 75?

Answer. I should not think it would be over seventy-five; I didn't take any note of it.

Question. Supposing in the third district the number was two hundred instead of seventy-five; don't you suppose that that would make the disparity between the districts?

Answer. In what respect?

Question. Supposing there were two hundred voted in the third district on affidavits, shouldn't you suppose that that fact would make the disparity

in the rapidity of voting between the two districts greater than appears in the mere statement of the number of votes polled in it?

Answer. Yes, sir; that would be the effect, I suppose.

Question. Do you know whether or not the present limits of the third district of the Eighteenth ward are stated in the ordinance in which the present limits of the fifteenth district are stated?

Answer. I couldn't say.

Question. Do you know whether the law says that no person can be prosecuted for voting illegally unless the complaint is made within thirty days, or whether the provision is that no person shall receive the reward for informing unless the information is given within thirty days?

Answer. No, sir; I never investigated it.

Question. If you should inform in regard to these men, it would be, I presume, for the purpose of performing your duty as a citizen, and not of receiving the reward?

Answer. It certainly wouldn't be for receiving the reward.

Question. It would be for the other, would it not?

Answer. Yes, undoubtedly.

Question. And therefore the mere fact that the provision of the law is, that a complaint must be made within thirty days for the purpose of earning the reward would not meet what you mean in respect to making the complaint?

Answer. Oh, not at all.

Question. What is Mr. Hall's business or profession?

Answer. Mr. Hall, I think, is in the real estate business, or real estate broker; I can't say; he has property that he attends to.

Question. Do you think that your expertness is so much greater than his, that you can receive and distribute the votes, and also look over the registry list, quicker than if Mr. Hall had assisted you?

Answer. I didn't wish to say anything about the expertness of Mr. Hall, but I am inclined to think that is so. You'll bear in mind that Mr. Hall was not present all day.

Question. He was, with the exception of the first hour?

Answer. Yes.

Question. Well, now, Mr. Dodge having invited you to go up stairs for the purpose of receiving this important information, having obviously been in possession of it before you were, what do you think is his duty in the premises in respect to making the complaint?

Answer. I have no opinion in regard to that. If I prosecuted him, I should probably employ Mr. Waterbury to conduct the prosecution.

WILLIAM D. CHASE.

Attest: JNO. R. BRADY, *J. C. P.*

Russell Myers recalled.

Mr. ANTHON:

Question. What is your business now?

Answer. I am a deputy United States marshal.

Question. How long have you been so?

Answer. About one year.

Question. What was your business before you became United States marshal?

Answer. I was connected with the army, sir.

Question. In what capacity?

Answer. I went out as captain of the thirty-second New York volunteers, and came home as major.

Question. Who commanded that regiment?
Answer. Colonel Mattison, first commander, and Colonel Pinto afterwards.
Question. How long did you serve with that regiment?
Answer. Two years and near a month.
Question. How long was the regiment enlisted for?
Answer. Two years.
Question. What was your business before you entered the army?
Answer. I was on the police.
Question. In what ward?
Answer. The Twenty-first ward.
Question. How long were you on the police?
Answer. From 1857—I think it was after the new act—to 1861.
Question. What was your business before that time?
Answer. I drove a stage.
Question. How long?
Answer. About a year.
Question. For whom?
Answer. I drove for the Consolidated Company.
Question. Why did you leave their employment?
Answer. To go on the police, sir.
Question. What was your business before you were driver for the Consolidated Stage Company?
Answer. My business was a butcher.
Question. How long had you been engaged in that business?
Answer. I left it in 1846, and went into the Mexican war; from there I went to California, and I came home here in 1852.
Question. Did you ever have any other business besides being a butcher?
Answer. No, sir.
Question. Was that the business you were brought up to?
Answer. Yes, sir.
Question. Who did you work for at the butcher business at first?
Answer. The Hennessys, Jacob and William H.
Question. Whereabouts?
Answer. In Washington market; then I worked for the brothers Star.
Question. Where do you live now?
Answer. 415 First avenue.
Question. Where did you live before that?
Answer. I lived on the corner of Thirtieth street and Third avenue.
Question. Where did you live before that?
Answer. Before that I lived over in Broadway, sir.
Question. Whereabouts?
Answer. I think the number is altered since. It was 1110, the next door below Thirty-third street.
Question. And where before that time?
Answer. Before that time I lived with Mr. Jones.
Question. Where?
Answer. In Thirty-third street, east of Lexington avenue.
Question. Who is Mr. Jones?
Answer. He was foreman of the stable—Elisha Jones.
Question. Where did you live before that time?
Answer. I lived with my brother-in-law, in Thirty-seventh street.
Question. What is his name?
Answer. His name is Meeks.
Question. What is his business?
Answer. He was in the feed business—a partner of Judge Kelly's.
Question. And where had you lived before that time?

Answer. When I came from Australia I lived with my brother-in-law—in 1851 and 1852.

Question. Why did you go to California?

Answer. My regiment went to California, sir.

Question. When did you leave your regiment, and why?

Answer. By the expiration of the term of service.

Question. What regiment were you in in the Mexican war?

Answer. The first New York volunteers, Colonel Stevenson.

Question. Why did you go to Australia?

Answer. I thought to make a V—strike gold; that was the object.

Question. What was your business in Australia?

Answer. Digging, or mining.

Question. Where did you live before you went into the Mexican war?

Answer. In the ninth and fifteenth wards, with my father.

Question. How long, altogether, have you lived in the Twenty-first ward?

Answer. I lived here ever since it was made a ward.

Question. How long ago is that?

Answer. About '53, I think, as near as my recollection serves me.

Question. Are you well known in the ward?

Answer. Pretty well acquainted; yes, sir.

Question. By what nickname do you go in the ward?

Answer. Some call me "Butcher Boy."

Question. You are known familiarly by that name?

Answer. No, sir; some calls me "Major," some calls me "Captain."

Question. Do you know a man named William Johnson?

Answer. What William Johnson?

Question. A nephew of Mr. Campbell that keeps a grocery store.

Answer. Yes, sir, I do; he was attached to my company.

Question. What is his business now?

Answer. That is more than I can tell you.

Question. What was his business when you last saw him?

Answer. I never knew him to have any business. He told me he had been a sailor.

Question. When was he in your regiment?

Answer. He joined it at the organization. We were received in the service on the 15th of May.

Question. What was his next employment after he left your company?

Answer. I never knew him to have any.

Question. You never knew him to hold a commission in the United States service?

Answer. No, sir. He said he did, but he didn't at that time, not to my knowledge.

Question. Do you remember demanding any money from him?

Answer. Never, sir.

Question. If he says that you did, you will still remain of the same impression, that you didn't?

Answer. Yes, sir.

Question. You know Mr. Robert Campbell, who keeps a grocery store—the firm of Campbell & Seaman?

Answer. I know Andrew Campbell.

Question. Did you ever have any difficulty with Andrew Campbell?

Answer. I did, sir.

Question. What was it about?

Answer. Well, he made some reports about me.

Question. What were these reports?

Answer. He said that Captain Raleigh and myself had knocked a jew peddler

down and robbed him of a set of diamonds in front of his store. That report was made during my absence.

Question. What was that peddler's name?

Answer. You'll have to find that out from him. I don't know.

Question. Do you know of Mr. Campbell's saying anything else about you?

Answer. Nothing else, sir.

Question. You don't remember his saying anything else about your connexion with his nephew, William Johnson?

Answer. No, sir.

Question. Tell us what the difficulty was between you and Mr. Campbell.

Answer. He said I had him arrested as a deserter.

Question. I asked you what was the difficulty between you and Mr. Campbell.

Answer. That was the difficulty—about his making the assertion, during my absence, that I, or Captain Raleigh and myself, had knocked down a jew peddler and robbed him of a set of diamonds.

Question. What occurred between you?

Answer. There were some blows between us.

Question. Whereabouts?

Answer. Corner of Twenty-seventh street and Fourth avenue.

Question. Were there blows between you?

Answer. Yes, sir.

Question. Was that the only difficulty you ever had with Mr. Campbell?

Answer. Yes, sir. He had me arrested for assault and battery. I believe I paid the fine.

Question. You thought the judge was very much in error for sentencing you instead of Mr. Campbell, as there were blows between you?

Answer. Yes, sir; I thought so. It was very natural for anybody not to think they were in the wrong.

Question. What other accusations have there been made against you—other than those?

Answer. None to my knowledge. This only came to me by another party; I wouldn't speak to him for several months on account of it.

Question. Were you never accused of having endeavored to extort money from William Johnson by threatening to have him arrested as a deserter?

Answer. No, sir; I am sure I wasn't.

Question. Do you know of Mr. Campbell making any statements of that kind?

Answer. No, sir; I am sure he hasn't.

Question. How long have you resided at your present place?

Answer. It's going on five years.

Question. When did you first become acquainted with Mr. Dodge?

Answer. I have known him by reputation for many years.

Question. When did you first become acquainted with him personally?

Answer. Just previous to this campaign.

Question. In what way did you become acquainted with him?

Answer. I saw him at the association room.

Question. Did you become personally acquainted with him there?

Answer. I was introduced to him.

Question. How often did you see him between that time and the election?

Answer. I saw him several times.

Question. On what business?

Answer. None at all, sir, only to speak, and pass the time of day with him when he attended the meetings.

Question. You never had any personal business with him except that?

Answer. None at all, sir.

Question. When did you first see him after the election?

Answer. I saw him in the month of December.
Question. What time in the month of December?
Answer. It was near the holidays—about there.
Question. Did he send for you or did you go to see him?
Answer. Well, I went to see him.
Question. What did you go to see him about?
Answer. I went to see him about this contest.
Question. At whose request—of your own motion, or at some one's request?
Answer. At the request of other parties.
Question. At whose request?
Answer. At the request of Captain Speight.
Question. Twenty-first ward police?
Answer. Twenty-ninth precinct.
Question. What did Captain Speight tell you to go for?
Answer. He told me Mr. Dodge wished to see me.
Question. Was that all he said to you?
Answer. That was all, sir.
Question. Are you sure?
Answer. Yes, sir.
Question. He didn't tell you for what he wanted to see you?
Answer. Nothing more than it was about the election.
Question. And he said Mr. Dodge wanted to see you?
Answer. Yes, sir.
Question. Did he fix any time at which Mr. Dodge wanted to see you—make any appointment?
Answer. Yes, he did.
Question. You went in pursuance of that?
Answer. Yes, sir.
Question. What occurred between you and Mr. Dodge when you first saw him?
Answer. Mr. Dodge asked me if I was acquainted with this district. I told him I was a little. He asked me my opinion with regard to the number of votes polled there. I told him I thought that there was at least one-quarter of them fraudulent votes; that the district hadn't increased any—in fact, had decreased, for the last four or five years. He asked me if I thought I could find out anything. I told him I thought I could. The result has been my testimony.
Question. What was your business at that time?
Answer. I was still in the marshal's office; I am yet.
Question. Did Mr. Dodge request you to make all those examinations that you say you have made?
Answer. He didn't request me to make any particular one; he asked me to try to find out all I could in regard to the illegal votes, &c., in the district.
Question. How long have you been at work in that business?
Answer. From that time till last Tuesday, off and on.
Question. Did you work in the day-time or at night?
Answer. I worked in the day-time and at night too.
Question. How did you obtain leave of absence from the marshal's office?
Answer. My time is only employed there from eleven to three.
Question. Did you make no investigations on any days between eleven and three?
Answer. Oh, yes. Sometimes there would be no court, or court adjourned.
Question. Did you obtain any leave of absence from the marshal's office for that purpose?
Answer. No, sir, I did not.

Question. Have you been reported in the marshal's office for absence from duty?

Answer. No, sir, not to my knowledge.

Question. What agreement was made between you and Mr. Dodge as to your compensation?

Answer. None whatever, sir; not a word said about compensation.

Question. No arrangement made for your expenses?

Answer. Never been a word said about expenses.

Question. How much money have you received from Mr. Dodge since the commencement of this investigation?

Answer. Not one cent, sir.

Question. What do you expect to receive from him?

Answer. Nothing.

Question. This has been entirely a labor of love on your part?

Answer. You may term it so if you like.

Question. Has it been so?

Answer. It hasn't been love at all.

Question. What has it been?

Answer. It has been my duty as a partisan, and every man's duty.

Question. You made your researches as a partisan?

Answer. Yes, sir; I had my ideas that there was fraud somewhere.

Question. You have no expectation of any compensation for anything you have done?

Answer. None at all, sir.

Question. In the course of these researches have you spent any money in any way in getting this information?

Answer. A few dollars for postage-stamps—less than a dollar.

Question. For what purpose did you use those postage-stamps?

Answer. To find out whether the parties did live there.

Question. What was the mode which you adopted?

Answer. Why, by sending them by post, and going with the postman.

Question. Did you send them with the post?

Answer. Yes, sir.

Question. How many?

Answer. I suppose some twenty.

Question. Tell us how you managed with those postage-stamps?

Answer. Put them in the office, and went with the postman, where there was doubts, and I couldn't get no information—that is, with the carrier.

Question. Did you put them all in the post office?

Answer. Yes, sir.

Question. Are you sure of that?

Answer. All that I say; yes, sir.

Question. Did you send one to a Mr. McLaughlin?

Answer. Yes, sir.

Question. Did you put that in the post office?

Answer. Yes, sir.

Question. Are you sure?

Answer. Yes, sir.

Question. Did you go with the postman when they were delivered?

Answer. I saw them delivered.

Question. How did you know?

Answer. By following the carrier.

Question. How did you know the carrier had that particular letter?

Answer. Because I had turned them in that morning. I asked the carrier what time he would be on the route.

Question. What is his name?

Answer. I couldn't tell you, sir.

Question. You are not sure that this letter to McLaughlin went through the post?

Answer. Yes, sir,

Question. After it had gone through the post office?

Answer. Yes, sir. It was merely an envelope.

Question. Was the postage-stamp upon it cancelled?

Answer. That is more than I can say.

Question. Have you ever known a letter to pass through the post office without the stamp being cancelled?

Answer. That is more than I can say.

Question. Is it not the usual course for letters passing through the post office to have the stamp cancelled?

Answer. I think it is.

Question. You don't remember in this particular case?

Answer. No, sir.

Question. How do you know there was a letter, in fact?

Answer. Because I sealed it myself.

Question. You are as sure of the fact of that letter being sealed as you are of any other portion of your testimony?

Answer. Yes, sir; I put mucilage on it, I am confident, and stamped it, and put it together.

Question. Where did you direct that letter?

Answer. I directed it 192 East Thirty-ninth street, I think it is.

Question. Are you sure it was 192?

Answer. Yes, sir.

Question. Why did you direct it to 192?

Answer. Because that's the number on the poll-list.

Question. If you have said in your testimony that it was 191 Thirty-ninth street?

Answer. I say there is two—one there and one at 192. There's no such residence as 191.

Question. Did you direct one to 191.

Answer. Yes, sir. It was returned.

Question. How did you give it in at the post office?

Answer. I gave it to the carrier, inside of the post office, and I told him I would meet him; I fixed the stamps—bought them and put them on in the post office.

Question. Then it didn't go through the post?

Answer. It went inside the window and came out again.

Question. You got it from the carrier? Do I understand you to say that you put a directed envelope in the post office, stamped, and that the carrier, instead of returning it to the post office, as was his duty, gave it to you?

Answer. Yes, sir.

Question. What was that carrier's name.

Answer. I couldn't tell you.

Question. Is he now on this route?

Answer. I should think he was.

Question. Do you know that it is a State's prison offence to steal letters from the mail?

Answer. I think it is, sir. I will take the chances of the State's prison offence.

Question. Have you taken the chances of State's prison offences before?

Answer. No, sir.

Question. You expect to take them again when your partisan feelings require?

Answer. No, sir.

Question. Do you consider that you are at liberty to have conversations with mail-carriers?

Answer. I do take that liberty.

Question. How many letters did you get from that mail-carrier when he returned them to the office?

Answer. Some twenty, more or less.

Question. They had been put into the United States mail?

Answer. Into the hands of the carrier, in the post office.

Question. When you say they went into the mail, then you say what is not true?

Answer. No; I gave them to the carrier's hands, in the office.

Question. Did you put them into the post office?

Answer. I did not; no.

Question. Did you put them into the drop?

Answer. No, sir.

Question. Then you didn't put those letters into the mail?

Answer. No, sir; not directly.

Question. Do you know that they ever went into the mail at all?

Answer. I do not.

Question. You didn't put them there?

Answer. No, sir.

Question. What arrangement had you made with this carrier before taking those letters round?

Answer. Only to satisfy me a little more fully in regard to whether these parties did live there or not?

Question. What did you tell him about it?

Answer. I told him it was to get testimony in regard to this contested election.

Question. And then he took the letters?

Answer. Yes, sir, and I went with him.

Question. You didn't know the man before?

Answer. No, sir.

Question. Did you have any conversation with any one with regard to the particular carrier?

Answer. No more than with another carrier. I merely asked him who this carrier was.

Question. Who did you ask?

Answer. I asked another carrier.

Question. What is his name?

Answer. That is more than I can tell you.

Question. Who did he tell you was the carrier?

Answer. He mentioned the name, but I can't think of it now. In fact, he didn't introduce me to him. He said, "Here's a carrier, and he'll go up there."

Question. What did you pay him?

Answer. Not one cent.

Question. He did it as a partisan, too?

Answer. That is more than I can say.

Question. Did it strike you that he was a very amiable man to lend himself to this scheme without any compensation?

Answer. Why, yes; it was.

Question. What became of those postage-stamps that you fixed on those letters?

Answer. I have got them.

Question. Have you those letters here?

Answer. I have got them, but not here.

Question. So that, when you come to settle accounts with Mr. Dodge, you will credit him with amount of returned postage-stamps?

Answer. I haven't made any account against him.

Question. If you ever do, you will credit him with it?

Answer. I don't know that I shall ever make one up.

Question. Is there not a single one of those postage-stamps that is cancelled?

Answer. No, sir.

Question. When you took the letter to McLaughlin, what answer did you get?

Answer. I didn't go near there at all—that is, I kept out of sight; there was a party there that I didn't want to see.

Question. What answer did the carrier get?

Answer. He said he would give it to him when he came home in the evening.

Question. Did he say McLaughlin didn't live there?

Answer. He did not.

Question. Why did you say that 191 had no existence?

Answer. I couldn't find it.

Question. What is the number on the poll-list?

Answer. 191 and 192.

Question. Did you make any personal inquiries for Mr. McLaughlin at 192?

Answer. I did last January.

Question. What answer did you get?

Answer. The answer was, that they didn't know any such party. To make a sure thing of it, I directed the envelope in that way.

Question. How many of these envelopes did you send?

Answer. Some twenty odd.

Question. Were you present when the carrier delivered them all?

Answer. Yes, sir.

Question. Do you know whether it is usual for carriers to hunt in couples?

Answer. Not very usual.

Question. It is rather more usual for policemen to hunt in couples, is it not?

Answer. I was learning my route.

Question. Why did you have to learn it?

Answer. It was merely a subterfuge.

Question. In other words, you acted a lie on that occasion?

Answer. We have to use such dodges sometimes.

Question. You don't think it wrong, as a partisan, to use either dodges or subterfuges?

Answer. No, sir.

Question. If your party had required it, you would occasionally tell a lie as well as act it?

Answer. No, sir.

Question. Is there any very great distinction between acting and telling a lie?

Answer. A great deal

Question. Please define the difference between acting a lie and telling one.

Answer. A detective has got to use all subterfuges in the world, without compromising himself in a lie, in getting any information he wants.

Question. Are you a detective?

Answer. I have been.

Question. And your habits as a detective cling to you still, don't they?

Answer. They do, a little.

Question. When were you a detective?

Answer. I was a detective for the last year—that is, in this Twenty-first ward—a ward detective; maybe a little more or less.

Question. Have you any detective duties to perform now, other than your partisan duties?

Answer. Yes, sir.
Question. Where?
Answer. I have been engaged in that business out in Kentucky and Missouri.
Question. Anywhere else?
Answer. Nowhere else.
Question. Never in Canada, nor on the frontier?
Answer. No, sir; no more than my duty in serving warrants as a deputy marshal now.
Question. What information did you have as to the supposed residences of these persons before you made inquiries about them?
Answer. From a correct copy of the poll-list.
Question. How do you know it was a correct copy?
Answer. It was certified by the county clerk.
Question. Do you know the county clerk's signature?
Answer. I won't swear positively as to his signature; I think it is.
Question. Do you know it?
Answer. No, sir.
Question. Have you seen him write?
Answer. I have, some time ago.
Question. Would you know his signature if I should show it to you?
Answer. No, sir.
Question. Who gave you that certified copy of the poll-list?
Answer. Mr. Dodge.
Question. That is the only information you have that it is a certified copy of the poll-list?
Answer. It is signed by the county clerk.
Question. Did you take that book with you when you made these inquiries?
Answer. Oh, no, sir.
Question. What did you do?
Answer. I took the details—noted down the streets and avenues—drawed it all off.
Question. You made a copy from that list yourself, didn't you?
Answer. Yes, sir.
Question. Of what nationality are you?
Answer. American.
Question. What foreign languages do you speak?
Answer. Spanish, a little.
Question. Do you speak French?
Answer. No, sir.
Question. You are not an Irishman?
Answer. No, sir; I am of Dutch descent, if you will allow the people of New York to be Dutch.
Question. You say you inquired for Robert Parler?
Answer. Yes, sir.
Question. Where did you inquire for him?
Answer. I inquired of a policeman named Reese, that lives in the house.
Question. What house?
Answer. Corner of Thirty-eighth street, 125.
Question. Did you inquire for any one else in that house?
Answer. Yes; I inquired for Mr. Reese.
Question. Those are the only two?
Answer. Yes, sir.
Question. Did you ask who else lived in the house?
Answer. I asked them if any other parties lived in the house, and they said no, I think.
Question. Are you sure of that?

Answer. I am not positive.
Question. Did you ask for Robert Palmer?
Answer. No, sir.
Question. You made no inquiries whatever about Robert Palmer?
Answer. No, sir.
Question. Have you the copy of the poll-list here that you used?
Answer. No, sir; not here.
Question. You say that you inquired with regard to a man named Pat. Fitzsimmons?
Answer. Yes, sir.
Question. Of whom did you inquire?
Answer. Of himself.
Question. Where did you find him?
Answer. I found him on the hill—in Thirty-eighth street, between First and Second avenues.
Question. What is his business?
Answer. He's a shoemaker.
Question. Did you inquire whether there was any other Pat. Fitzsimmons there?
Answer. I did, of him; he told me no.
Question. What did he say in answer to your question?
Answer. I asked him if his name was Patrick Fitzsimmons; he said yes. I asked him if he knew any other on the hill; he said no. I asked him if he voted in the November election; he said no.
Question. Did you know him previous to that time?
Answer. Yes, by sight.
Question. Where did you meet him?
Answer. I met him at his own house.
Question. How did you find out where he lived?
Answer. He has a sign out there.
Question. Was that your only mode of finding where he lived?
Answer. That was the only way.
Question. That is the only information you had as to where he lived?
Answer. That's all, sir.
Question. What induced you to go and ask for Fitzsimmons?
Answer. In going to see other parties all round.
Question. Was there no special reason?
Answer. No, sir.
Question. Did you go alone, sir?
Answer. Yes, sir.
Question. Had you ever been there before?
Answer. Yes, sir; I went there once or twice before, and he was not in.
Question. The first time he was not in?
Answer. Yes, sir.
Question. Are you sure of that?
Answer. Yes, sir.
Question. Did you ask of the other people whom you met whether they voted at that election?
Answer. No, sir.
Question. How did you chance to ask him?
Answer. Because he said there was no other Pat. Fitzsimmons there.
Question. How did you happen to ask him how he voted?
Answer. Because I did.
Question. Did you ask that question of any one else?
Answer. No, sir.
Question. What made you ask it of him only?

Answer. I suppose it occurred to me at that moment.

Question. Did it never occur to you at any other time, or with any other man?

Answer. No, sir.

Question. Was there no reason?

Answer. Yes, sir: on account of there being two Pat. Fitzsimmons, and he said there wasn't two.

Question. And therefore, because there were two Pat. Fitzsimmons, and he thought there were not, you thought of asking him whether he voted or not?

Answer. That's it, sir.

Question. Did you ask Fitzsimmons whether he had a row or not?

Answer. No, sir.

Question. Did he tell you whether he had or not.

Answer. He didn't tell me.

Question. Had you ever heard anything about Pat. Fitzsimmons before you went there?

Answer. No, sir.

Question. Not from any one?

Answer. Not from a soul.

Question. You say you looked for Peter Dellen, didn't you?

Answer. Yes, sir.

Question. At what place?

Answer. Thirty-eighth street, First and Second avenues.

Question. Peter Devlin, or Peter Dellen, (witness referring to memorandum,) can you tell what it is by looking at the first memorandum, without this that you are taking from your pocket now.

Answer. That's a copy, and not in my handwriting.

Question. Which is it, now that you have looked?

Answer. It is Peter Dilin.

Question. How do you pronounce D-i-l-i-n—Delin or Dilin?

Answer. Delin, I pronounce it.

Question. Which did you ask for?

Answer. I asked for Delin, (pronouncing the first syllable as if it were spelt with an *e*,) and nobody knew it.

Question. You did not ask for Dilin?

Answer. No, sir.

Question. Did you ask for any one else there?

Answer. Yes, sir; John Irwin.

Question. Did you ask for Peter Doolen?

Answer. I think not, sir.

Question. Did you ask for Mr. Edward McCluskey?

Answer. Yes, sir.

Question. Who did you ask?

Answer. Some of the women.

Question. Some of which women?

Answer. The women that live on the hill—residents there.

Question. How do you know they were residents?

Answer. I knew them by sight.

Question. Do you know who they were?

Answer. No, sir.

Question. Do you know whether they bore any relation to Edward McCluskey, or any other man?

Answer. No, sir.

Question. You got hold of the first woman you met, and asked her about Edward McCluskey?

Answer. I don't know about the first.

Question. Do you suppose, if you met a woman down at the City Hall park, and asked her, that she would know anything about it?

Answer. I think not, sir.

Question. How many people live on Dutch hill do you suppose?

Answer. Probably one hundred.

Question. A good many women there, are there not?

Answer. Yes, sir.

Question. Did you ask any one else, except those women?

Answer. Yes; I have asked men.

Question. What are their names?

Answer. I could not give you the names.

Question. How many houses are there on Dutch hill?

Answer. I never saw a house there yet; I seen hovels there.

Question. How many of those hovels are there?

Answer. I suppose, in the neighborhood of forty.

Question. In how many of them did you ask for Edward McCluskey?

Answer. I asked in three, or four, or five.

Question. No more than that?

Answer. I can't say; I have asked in several places.

Question. Are they all Irish on that hill?

Answer. All, to my knowledge.

Question. No Germans there.

Answer. Not that I know of.

Question. You say you asked for a man named Thomas Mulley?

Answer. Yes, sir.

Question. Is that the name—are you sure?

Answer. Yes, sir.

Question. Where did you get that name from?

Answer. The poll-list.

Question. Who did you ask for Thomas Mulley?

Answer. The parties living there.

Question. Did you ask any particular person about him?

Answer. Yes, sir; the residents there.

Question. Who?

Answer. The parties living in the shanties.

Question. How many did you ask?

Answer. About half a dozen.

Question. Have you any recollection?

Answer. No, sir; I have not.

Question. Are you sure there was more than one?

Answer. Yes, sir; because I make it a rule to ask two or three persons about these parties.

Question. Were they men or women that you asked?

Answer. Women.

Question. Women entirely?

Answer. Yes.

Question. Do you consider women more reliable sources of information than men?

Answer. The men were not generally on the hill when I was there.

Question. Tell me why you didn't go there while the men were there.

Answer. I don't know why I didn't.

Question. When you go to find men, do you generally go to places where you think you will not find them?

Answer. I thought they resided there.

Question. Don't you think the more honest way would have been to have gone there and found out where they were?

Answer. I don't.

Question. Why?

Answer. Because I couldn't see them when they didn't reside there.

Question. Wouldn't you think the safer way of finding out would have been to have gone to see them?

Answer. I do not.

Question. Tell me why you think it's safer to ask another person if a man lives in a place than to ask the man himself?

Answer. If you were not to ask two or three you could get no information at all?

Question. At what time are the men generally to be found on Clare hill or Dutch hill?

Answer. Generally after dark.

Question. Did you go there at that time at all?

Answer. No, sir. Oh, yes, I have been up there to look around through it.

Question. Did you go there to make these inquiries?

Answer. No, sir.

Question. Why didn't you go there at the time you knew the men were there?

Answer. It wasn't necessary.

Question. Were you not afraid that if you went there when the men were there you would find them?

Answer. No, sir.

Question. You didn't go just because you knew you wouldn't find them there at that time?

Answer. No, sir, I didn't say so.

Question. Did you ask for Thomas Malloy there?

Answer. No, sir, not that I know of.

Question. Did you ask for Thomas Worley or Morley, either?

Answer. At the same place?

Question. Yes, sir.

Answer. No, sir.

Question. Will you be kind enough to look at that fourth name from the bottom and tell me what it is [handing poll-list to the witness] without looking at your memorandum? Are you looking at the poll-list or at your copy that you hold in your hand?

Answer. At both.

Question. Don't you remember my distinctly telling you not to look at your own list?

Answer. I haven't answered the question yet.

(Question repeated.)

Answer. When I was looking I compared them both together.

Question. Don't you remember my expressly asking you not to compare them together, but to look at the poll-list only?

Answer. I remember it, but the question came so soon that I was looking at it.

Question. What was your object in comparing the poll-list with your written list?

Answer. None whatever.

Question. Why did you do it, then, in spite of my direction to the contrary?

Answer. Your direction came too late—while I was comparing it.

Question. Do you mean to swear that you had looked at your list before I told you not to do it?

Answer. I don't know whether it was done before; it was momentarily, any way; it was not done intentionally, any way.

Question. Now, be kind enough, without referring to your list, to look at that fourth name from the bottom, Thomas Mulry, and tell me how 'tis spelt?

Answer. M-u-l-r-y.

Question. Be kind enough to look over that entire list and see if you can find the name of Thomas Mulbey there? My allegation is that you have not copied the list correctly in making this search. Do you see any Thomas Mulbey there?

Answer. No, sir. (After referring to the list.)

Question. The name that you inquired for was Thomas Mulbey?

Answer. I have that impression; yes, sir.

Question. Do you think it is at all strange that if you inquired for him you didn't find him?

Answer. I don't think it would be strange; they would have told me there was a Thomas Mulry there, I suppose.

Question. Do you suppose, if you had asked for Jones, they would have told you that Thompson lived there?

Answer. There is so wide a distinction there. Mulbey and Mulry is very close.

Question. You didn't ask for either Malloy, Worley, or Morley there, did you?

Answer. Do you mean with reference to the same party? I have no recollection of asking for any such name.

Question. You say you inquired for Pat. Riley in Thirty-ninth street?

Answer. Yes, sir.

Question. What number did you look for?

Answer. 130 East Thirty-ninth street.

Question. Did you look at any other number for him?

Answer. No, sir.

Question. Nowhere else?

Answer. No, sir.

Question. You didn't look at 138 for him?

Answer. No, sir.

Question. You didn't look at 139?

Answer. No, sir.

Question. You didn't look at any other place than 130?

Answer. 130, sir.

Question. Look at that poll-list and find me the name of Pat. Riley, if you please?

Answer. (After examining the list.) Pat. Riley, 130 Thirty-ninth street. (Indicating.)

Question. How do you spell his name there?

Answer. R-i-l-e-y.

Question. You pronounce it Riley?

Answer. Yes, sir.

Question. Did you see the original poll-list?

Answer. No, sir.

Question. You don't know how far those numbers are copied correctly?

Answer. I couldn't say, sir.

Question. Do you know whether the numbers 130 and 139 are easily made into each other?

Answer. No, sir; not by that copyist, I think, sir.

Question. Not by any other person?

Answer. No, sir; I shouldn't say so.

Question. You inquired, you say, for Pat. Mooney or Moveney at 136 East Thirty-ninth street; is that so?

Answer. No, sir.

Question. At what number did you inquire for him?
Answer. At 131.
Question. Who did you inquire for there?
Answer. I inquired in the same house for Michael Fail.
Question. Who did you inquire for, Mooney or Moveney?
Answer. Mr. Mooney.
Question. You inquired for no other name except Fail's?
Answer. No, sir. Oh, I inquired for other parties, I believe.
Question. How do you spell the name of Mr. Fail?
Answer. F-a-i-l.
Question. Did you inquire for any other person there than those two?
Answer. I think I did; I know I did, in fact.
Question. For whom?
Answer. John Bunell.
Question. And who else?
Answer. E. Bynir.
Question. How do you spell his name?
Answer. B-y-n-i-r.
Question. Did you inquire for Pat. Moveney at 131 Thirty-ninth street?
Answer. No, sir.
Question. Did you inquire for Michael Fail?
Answer. No, sir.
Question. Who did you inquire of?
Answer. The parties that lived there.
Question. Can you give me the name of a single person?
Answer. I inquired of the groceryman down stairs—I cannot give you his name; and I inquired of the parties that lived on the floors up stairs; it is a four-story house.
Question. Didn't you say a moment ago that you inquired for Pat. Mooney?
Answer. Yes, sir.
Question. Who is it, Mooney or Moveney?
Answer. Pat. Moveney; there's an error in the copy.
Question. Don't you think it is just as likely there is an error in the poll-list as in your copy?
Answer. There may be.
Question. Which is it, Pat. Moveney or Moveney?
Answer. Pat Moveney.
Question. You asked for Joe Johnson?
Answer. Yes, sir; I asked at several places. There's two brothers; I couldn't find this one.
Question. Where did you ask?
Answer. I asked at the hill, and I asked at the last house where the two brothers Johnson lived. I couldn't find Joe Johnson.
Question. Just look at the third name marked from the bottom, and tell me what it is. (Poll-list shown to witness.)
Answer. Pat. Moveney, I call it.
Question. Just count the letters in it, will you. How many letters are there in it?
Answer. Only six.
Question. You don't think that looks at all like Pat. Murray?
Answer. No, sir; I couldn't make Murray out of it.
Question. It doesn't look any more like Pat. Murray than Simonsen or Thompson?
Answer. I think not.
Question. Where did you inquire for Joe Johnson?
Answer. At his own house.

Question. The number, if you please?
Answer. I can't say any particular number.
Question. You didn't inquire at any particular number?
Answer. No, sir.
Question. Are you sure of that?
Answer. Yes, sir.
Question. Did you inquire at 577 Third avenue?
Answer. No, sir; I inquired at Thirty-ninth street for him.
Question. Did you inquire for him at 537 Thirty-ninth street?
Answer. No, sir; there was no such number.
Question. Whereabouts is 537 Third avenue?
Answer. It's the corner of Fortieth street.
Question. You say you inquired for a Pat. Monaghan?
Answer. Yes, sir.
Question. Where?
Answer. On the hill.
Question. Did you inquire for Pete Monaghan there?
Answer. No, sir?
Question. Did you inquire for a man named James Will?
Answer. Yes, sir.
Question. Whereabouts did you get it?
Answer. From the poll-list.
Question. Whereabouts did you inquire?
Answer. On the hill.
Question. Did you inquire for any one else of a similar name?
Answer. Not that I have any recollection of.
Question. Did you inquire for James Writt?
Answer. No, sir.
Question. You inquired for Barney Maguire, you say, in Thirty-ninth street?
Answer. No, sir.
Question. If you swore in your direct testimony that you have inquired for Barney Maguire and didn't find him, what are we to think about that—that you are mistaken?
Answer. (Referring to memorandum.) Yes, sir; I did inquire for him.
Question. Where did you inquire.
Answer. On the hill—First and Second avenue. Didn't know anything about him.
Question. Did you ever hear anything about a man that was called Dash Maguire?
Answer. No, sir.
Question. You don't know that his name was Barney Maguire?
Answer. No, sir; I don't know the party at all.
Question. You inquired for a man named Pat. Wintire?
Answer. Yes, sir.
Question. Did you pronounce that Wintire or Wintoo?
Answer. Wintire.
Question. Where did you inquire for him?
Answer. On the hill, sir.
Question. Did you inquire for a Pat. Wynne there?
Answer. Yes, sir.
Question. You inquired for a man named Ed. Bannen?
Answer. Ed. Bannen; yes, sir.
Question. Do you know of any one of a similar name at that house?
Answer. No, sir.
Question. Did you inquire for Edward Brennan there?
Answer. No, sir.

Question. Where did you inquire?
Answer. On the hill.
Question. You say you inquired for a man named Lonkin there?
Answer. Yes, sir.
Question. Was it Herwin or Herman Lonkin?
Answer. Herwin.
Question. Have you ever heard that name before—have you ever heard the name Herwin used as a Christian name?
Answer. I think I have.
Question. What nationality is it?
Answer. I think it is a German name.
Question. And Lonkin you think is a German name also?
Answer. Yes, sir.
Question. Where did you inquire for this Herwin Lonkin?
Answer. Up between Thirty-ninth and Fortieth streets.
Question. On the hill?
Answer. Yes, sir; an old resident up there said he lived in Forty-fifth street.
Question. Who is that old resident?
Answer. An old lady that has lived there for years and years.
Question. What is her name?
Answer. That's more than I can tell you.
Question. What is her business?
Answer. I can't tell you.
Question. How often have you seen her?
Answer. A great many times.
Question. How did you happen to see her?
Answer. I only saw her this time with the footman.
Question. How did you happen to get acquainted with her?
Answer. I am not acquainted with her.
Question. Had you never seen her before?
Answer. Yes, sir.
Question. Where?
Answer. On the hill.
Question. When?
Answer. A number of years ago; that is, several years.
Question. Did you inquire for a man named Larkin there?
Answer. No, sir; I did not.
Question. You inquired for a man named James McLarney?
Answer. Yes, sir.
Question. Just look at that poll-list and see if you can find the name of Larkin there?
Answer. (After examining the list.) No, sir.
Question. What is the name you find there?
Answer. Herwin Lonkin.
Question. Tell me how you spell it?
Answer. L-o-n-k-i-n.
Question. How do you spell the first name?
Answer. H-e-r-w-i-n, or w-e-n; it is an unusual name.
Question. Did you inquire for a man named McLarney there—James McLarney?
Answer. Yes, sir.
Question. How do you spell his name?
Answer. McL-a-r-n-e-y—McLarney, or Lowney, it ought to be, I think.
Question. Did you inquire for a man named McAlarney there?
Answer. No, sir; I did not.
Question. You inquired about a man named Peter Marien, you say?

Answer. Yes, sir.
Question. How is that spelt?
Answer. M-a-r-i-e-n.
Question. How do you pronounce that name?
Answer. Mărĭĕn.
Question. If it were French how would you pronounce it?
Answer. I don't know.
Question. If it were a German name how would you pronounce it?
Answer. I don't know.
Question. Did you inquire for Peter Meenan there?
Answer. No, sir.
Question. Do you say you inquired for a man named Haylen there?
Answer. Yes, sir.
Question. How do you spell his name?
Answer. H-a-y-l-e-n.
Question. Who did you inquire of about him?
Answer. There was a general inquiry all round, sir.
Question. You asked the same people for all these names?
Answer. Yes; at different times.
Question. Did you ask any of the men there about Haylen?
Answer. I think I have.
Question. Who?
Answer. That's more than I can tell you. I don't know who he was.
Question. Have you any recollection about who you inquired of in regard to any of these people?
Answer. No, sir.
Question. Not of one?
Answer. Not one.
Question. You spent three months in the search, and you don't know the name of a single person who gave you information?
Answer. No, sir.
Question. Did you inquire for a man named Healeon?
Answer. No, sir.
Question. You inquired for a man named Hahn?
Answer. Yes, sir.
Question. How do you spell that name?
Answer. H-a-r-n.
Question. What sort of a name is that?
Answer. Hahn or Harn.
Question. What nationality do you think it is?
Answer. That's more than I can tell you.
Question. Is it an English name?
Answer. No, sir.
Question. Is it a German name?
Answer. I don't know; I can't tell what nationality.
Question. According to your judgment what nationality does it indicate?
Answer. I couldn't tell, sir.
Question. Do you think it is a Hebrew name?
Answer. It might be, for all I know.
Question. You have no notion about what nationality it belongs to?
Answer. No; I have no idea.
Question. Do you know the name of the late governor of Louisiana?
Answer. Yes, sir.
Question. His name is Hahn, is it not?
Answer. Yes, sir.
Question. What do you take that to be as to its nationality?

Answer. I couldn't say what country the man belongs to?
Question. Did you inquire for a man named Hand, there?
Answer. No, sir; I think not.
Question. You inquired for a man named Pat. Darley?
Answer. Yes, sir.
Question. Did you inquire for a man named Patrick Denning?
Answer. No, sir.
Question. You inquired for a man named Patrick Tracy?
Answer. Yes, sir.
Question. Did you inquire there for any other man by the name of Tracy?
Answer. No, sir.
Question. What did you learn in regard to Patrick Tracy?
Answer. That he had been dead three years.
Question. Who told you that?
Answer. This party on the hill there.
Question. Who?
Answer. This woman I have mentioned.
Question. Was this woman your great source of information? Who else told you this man was dead?
Answer. That's the only person I can identify; there were several.
Question. You can't identify her?
Answer. No.
Question. Do you remember the name of any person that told you Pat. Tracy was dead?
Answer. Yes, sir; several.
Question. Who?
Answer. Ted Burns told me. I asked him if there wasn't a certain party that was an old resident up there some years ago.
Question. Who else told you?
Answer. Stene Geoghan.
Question. Where does he live?
Answer. Thirty-ninth street, in Second avenue.
Question. What is his business?
Answer. A liquor shop.
Question. How long have you known him?
Answer. Several years.
Question. How many conversations have you had with him about this election?
Answer. I have had several.
Question. Did he ever go with you to make these inquiries?
Answer. No, sir.
Question. To how many places did he send you?
Answer. None.
Question. How many names did he tell you about?
Answer. He didn't tell me about any. I asked him for information about politics.
Question. How many do you think you informed yourself about through Stene Geoghan?
Answer. He gave me a good deal of information when I looked for parties I could not find myself. He corroborated other people's statements.
Question. What names did he give you?
Answer. This one—Tracy.
Question. Who else?
Answer. The parties that lived in his own houses.
Question. Who?
Answer. J. M. O'Neil, Pat. Daly, Barlow.

Question. Who else?

Answer. Pat. Carroll, John Donnelly, and several others that I have asked him about.

Question. How did you happen to go to Stene Geoghan to get information about these parties?

Answer. By being acquainted with him, that's all.

Question. Did you send for him, or did he send for you?

Answer. I didn't send for him at all; I used to stop in his house when I went up that way on several occasions.

Question. What is his politics?

Answer. He has been a democrat.

Question. What is he now?

Answer. I don't know what he is.

Question. What do you think?

Answer. I should think he is a democrat still.

Question. You don't know his having had any quarrel with the democratic party?

Answer. No, sir.

Question. He never said anything to you about it?

Answer. No, sir.

Question. Sure?

Answer. Yes, sir.

Question. Never said anything about his wanting an office, and couldn't get it?

Answer. No, sir.

Question. Don't you know that he did?

Answer. No, sir.

Question. What made you go to a prominent democrat to get information about a republican contest?

Answer. I didn't go to him to get any particular information.

Question. What made you ask him?

Answer. Well, being on familiar terms with him, he found out what my business was and used to joke about it.

Question. You thought going to one democrat was the best mode to get information about others?

Answer. I thought he would give me information.

Question repeated.

Answer. I don't think I could get information from you as a democrat about any fraud in elections.

Question. Why did you ask information from him?

Answer. I asked him questions about parties living in his house, and he gave me some information.

Question. And you thought that a prominent democrat, under those circumstances, would be likely to give you information?

Answer. I know democrats that wouldn't give me any such information.

Question. You told me a few minutes ago that he knew your business?

Answer. Oh, he found it out after I went in there.

Question. Did he know your politics?

Answer. Yes, sir, everybody in the ward knows that.

Question. He knew that you were a republican?

Answer. Yes, sir.

Question. We will go now to the next street, if you please, to the Third avenue. In Third avenue you inquired for a man named E. Delmight, didn't you?

Answer. Yes, sir.

Question. How do you spell the name?

Answer. D-e l-m-i-g-h-t.

Question. Is that the right way to spell it?
Answer. I can't say.
Question. Is it a name that you are familiar with?
Answer. I have heard the name.
Question. Where did you inquire for him?
Answer. 545.
Question. How do you pronounce Delmight?
Answer. I think it is one of those French names that you were talking about.
Question. Is it a French name?
Answer. That's more than I can say. I inquired for a man named Delmidge (spelled as pronounced by witness,) and they told me a man named Delmidge had lived there last September.
Question. What did they say about Delmight?
Answer. There was no such party.
Question. You inquired for a man named Dennis Quinn?
Answer. Yes, sir; at 549.
Question. Who else did you inquire for?
Answer. John McMahon.
Question. Did you inquire for a man named Dennis Duane?
Answer. No, sir.
Question. Pat. Daly you say you inquired for?
Answer. Yes, sir.
Question. What was the answer about him?
Answer. He was not a citizen, and didn't vote.
Question. How do you know he was not a citizen?
Answer. Of Mr. Geoghan—that is, Mr. Geoghan's house.
Question. What is Mr. Geoghan's business, besides keeping a liquor store?
Answer. I don't know of any other business He has got two liquor stores.
Question. Did you inquire for James D. Barlow?
Answer. Yes, sir.
Question. What did you find out about him?
Answer. He wasn't a citizen, and voted.
Question. Who told you about that?
Answer. The same party.
Question. Where is Mr. Geoghan—does he still live in the city of New York?
Answer. Yes, sir.
Question. When did you finish getting your information from Mr. Geoghan?
Answer. Well, I don't know when I did exactly finish getting information from him.
Question. Before this investigation commenced?
Answer. I guess not.
Question. How recently have you seen him?
Answer. This morning.
Question. Did you get any information from him this morning?
Answer. No, sir.
Question. When did you see him before this morning?
Answer. Last week.
Question. Did you get any information from him last week?
Answer. Yes, sir.
Question. What information?
Answer. Some information about these parties
Question. What day last week?
Answer. About the middle of the week—I don't know what day.
Question. You had obtained information from him before that time?
Answer. Yes, sir.

Question. Had you before we commenced taking testimony examining witnesses here?

Answer. I don't know as I did.

Question. What do you think about it?

Answer. I don't know exactly what time you commenced taking testimony.

Question. Didn't you receive a notification a fortnight ago?

Answer. Yes, sir.

Question. You looked for a Pat. Levins, did you not, in Third avenue?

Answer. Yes, sir.

Question. Was that the only place you looked for him?

Answer. Yes, sir.

Question. Who did you ask about him?

Answer. I asked several that I am acquainted with on the avenue.

Question. Who?

Answer. I asked Thomas McKelvey.

Question. Who is Thomas McKelvey?

Answer. He is an attaché of the post office.

Question. What's his business in the post office?

Answer. A letter-carrier.

Question. Whereabouts is he letter-carrier?

Answer. From the general office. I don't know which his route is.

Question. Was his route in the Twenty-first ward?

Answer. No, sir.

Question. Was he one of the persons to whom you talked about delivering these envelopes?

Answer. No, sir. He carries down from the general delivery office.

Question. How long have you known him?

Answer. Several years.

Question. Did you ever speak to him about this plan of yours of sending envelopes?

Answer. No, sir, the plan originated with myself.

Question. Turn to Fortieth street, if you please: you inquired for a man named James Broos, didn't you?

Answer. Yes, sir.

Question. What name did you inquire for?

Answer. James J. Bwas; as near as I can pronounce it, it is B-w-a-s.

Question. Did you ever hear such a name as that before?

Answer. I can't say that I did.

Question. Where did you inquire for him?

Answer. 144 Fortieth street.

Question. Just look at the fifth name on the poll-list and tell me what it is, if you please?

Answer. (After examining.) James J. Bwas.

Question. Just tell me how you spell it?

Answer. B-w-a-s.

Question. Do you generally make your s's with long tails to them like y's.

Answer. That doesn't belong there.

Question. Did you inquire for James Broas?

Answer. No, sir.

Question. What is that name—Broas? Is it familiar to you?

Answer. I know several parties in the country of that name.

Question. Do you know one party in particular in the city of New York of that name?

Answer. I can't say.

Question. Don't you remember a number of penny tokens circulated round the town a short time ago with "Broas, pie-baker," on them?

Answer. No, sir; I never came across one of them.
Question. You inquired for John Austin?
Answer. Yes, sir; at 106 Fortieth street.
Question. Had you ever heard of John Austin before?
Answer. I knew one Johnny Austin; yes.
Question. Where does he live?
Answer. That's more than I can tell you.
Question. Do you know whether in writing numbers the zero and the six can easily be confounded?
Answer. I don't know, sir.
Question. Did you inquire for Austin at 166 Fortieth street?
Answer. No, sir; I went along there and inquired for any such man.
Question. Did you inquire for Johnny Austin?
Answer. No, sir.
Question. Did you inquire for Colonel Austin?
Answer. No, sir.
Question. Did you inquire for John S. Austin?
Answer. No, sir
Question. You say you know Johnny Austin; tell me who he is, if you please.
Answer. He used to live upon the road.
Question. He's a pretty well-known man, isn't he?
Answer. Yes, sir; politically and otherwise. He went into the army as one of the field officers.
Question. You inquired for a man named William Yelmer, you say; just look at that list and tell me what name you inquired for there?
Answer. (After examination.) William Yelmer.
Question. How have you spelled the name?
Answer. Y-e-l-m-e-r.
Question. Where did you inquire for him?
Answer. 138.
Question. Are you sure it was 138?
Answer. 138, sir.
Question. Did you inquire for any one else there?
Answer. Yes.
Question. Who?
Answer. Samuel P. Rand.
Question. Any one else?
Answer. Ne one else, I think.
Question. Did you inquire for William Yelmer there?
Answer. No, sir.
Question. You inquired for Thomas Monoghan in Fortieth street?
Answer. Yes, sir.
Question. Whereabouts?
Answer. No number. I inquired in several places.
Question. Where did you inquire?
Answer. I inquired on the hill along between the avenues.
Question. Of whom did you inquire?
Answer. At different places.
Question. Tell us one place or one name.
Answer. I inquired of Mr. Haw.
Question. Did you inquire of him?
Answer. No, sir, not of him.
Question. Why didn't you inquire of him?
Answer. I didn't see him.
Question. What woman did you inquire of?

Answer. I don't know whether it was his wife or not.
Question. It was a woman?
Answer. Yes, sir.
Question. Do you think you made a dozen inquiries of anybody except women?
Answer. Oh, yes; I often met parties I was acquainted with, and asked them if they knew them.
Question. Did you inquire for Thomas Henehan?
Answer. No, sir.
Question. Do you know whether it is a German or an Irish name?
Answer. No, sir.
Question. Now we will go to Second avenue. You inquired, you say, for a John Worgen or Horgen?
Answer. Yes, sir.
Question. How do you spell it?
Answer. W-o-r-g-e-n.
Question. Where did you inquire for him?
Answer. I inquired at a little shanty—a little one-story brick house between Thirty-eighth street and Fortieth street.
Question. What did you find out there?
Answer. There was no such party lived there.
Question. What number did you inquire for?
Answer. I don't know whether there is a number on the place or no. The house adjoining it is 172, and I took it for 170.
Question. Did you inquire at 728?
Answer. No, sir.
Question. Did you inquire for John Wiegand?
Answer. No, sir.
Question. You think that Wiegand and Worgen are pronounced the same way?
Answer. No, sir.
Question. You inquired for John Dunn, you say?
Answer. Yes.
Question. Whereabouts?
Answer. 755; there was no such number.
Question. Did you inquire at 764?
Answer. I think not.
Question. Did you inquire for John Doane?
Answer. I know John Doane. John Dunn is a different party.
Question. Do you know that he lives there?
Answer. Yes, sir.
Question. Do you know whether he voted in that election or not?
Answer. That's more than I can say.
Question. You inquired for a man named Henry C. Baven, did you?
Answer. Yes, sir.
Question. What number did you inquire at?
Answer. It was out of the ward.
Question. Who did you inquire of?
Answer. I couldn't specify the person.
Question. Did you inquire for Henry C. Behren?
Answer. No, sir.
Question. Did you look to see whether 765 Second avenue was out of the ward?
Answer. I did.
Question. What number did you look for—the old or the new?
Answer. I looked at the new.

Question. Did you look after the old number?
Answer. Yes, sir.
Question. What is the new number of the old number 765?
Answer. I couldn't tell you just now.
Question. How do you know that you looked after the old number of 765?
Answer. I don't know that there is 765 on any old house; there's one house up there that has no number on it—may be two.
Question. Are the numbers changed there?
Answer. That's more than I can state.
Question. You inquired for Pat. Wynne, you say?
Answer. Pat. Wynne.
Question. Whereabouts did you inquire for him?
Answer. 760; that's the highest number.
Question. Was that an old or a new number?
Answer. A new number, sir.
Question. You are sure of that?
Answer. I think it is, sir.
Question. Are you sure of it?
Answer. No, I am not positive, because I haven't that memorandum with me just now.
Question. Did you look at 744?
Answer. Yes, sir.
Question. For whom?
Answer. For Thomas Paff.
Question. Did you look for Pat. Wynne at that number?
Answer. No, sir.
Question. Do you know whether 744 of the new number corresponds with 760, the old number?
Answer. Yes, sir.
Question. You looked for Frank Kilkenny at 772 Second avenue?
Answer. I couldn't find any such number, sir; it was out of the district altogether.
Question. Do you know whether it was the old or the new number?
Answer. I don't know as there is any old number there.
Question. Did you look at 742 Second avenue?
Answer. I inquired at 742 Second avenue; not for that party, though.
Question. Didn't ask for Frank Kilkenny there?
Answer. No, sir.
Question. You inquired for a man named Christian Nohouse?
Answer. Yes, sir.
Question. Where did you inquire for him?
Answer. 748.
Question. Do you know whether that was an old or a new number?
Answer. I do not.
Question. Did you inquire for him at 728 Second avenue?
Answer. No, sir.
Question. You inquired for Thomas Kane?
Answer. I asked somebody if they knew Thomas Kane, but it was out of the district.
Question. Is 569 the old or the new number?
Answer. I don't know.
Question. Did you inquire at 569 Third avenue for Thomas Kane?
Answer. No, sir.
Question. Did you take any trouble to find the name, or not to find it?
Answer. I took trouble to find them, sir.
Question. You say you inquired for a man named Michael Leary?

Answer. Yes, sir.
Question. What was the name you inquired for?
Answer. L-e-a-r-y. I inquired at both corners of Thirty-ninth street.
Question. What are the names of the persons of whom you inquired?
Answer. I don't know; I inquired in the house.
Question. What house?
Answer. On the corner of Thirty-ninth street and Second avenue; he is put down at that place on the poll-list. I inquired on the three corners.
Question. Is that the way he is set down there?
Answer. That's all I know of——
Question. Did you inquire for Michael Leary at that place?
Answer. No, sir.
Question. [Poll list shown to witness.] You say that is Michael Leary?
Answer. Certainly; let's see again; it may be possible I may be mistaken; it might be either Michael Leary or Leavy.
Question. You inquired for Ed. Kerrigen on the hill?
Answer. No, sir.
Question. Where did you inquire for him?
Answer. Corner of Thirty-eighth street and Second avenue.
Question. Did you inquire for Ed. Corrigan?
Answer. No, sir.
Question. You inquired for Peter Goldin?
Answer. Yes, sir; at 725.
Question. Was that an old or a new number?
Answer. There would be very little difference about the number; it's on the outside, and there's only one block on that outside.
Question. Do you mean to say it made no difference whether you looked at the old number?
Answer. I found but one number.
Question. Did you look for two numbers?
Answer. No, sir.
Question. Did you look at what is now known as 728 Second avenue, to see whether Peter Golding lived there or not?
Answer. No, sir.
Question. You looked forDavid Montgomery?
Answer. Yes, sir.
Question. Where?
Answer. I couldn't find him; he was out of the district.
Question. Where did you look for him?
Answer. The number is set down as 547 Second avenue.
Question. Did you look at 547 Third avenue?
Answer. No, sir.
Question. You looked for Francis Armstrong, 722 Second avenue?
Answer. 724.
Question. Will you find his name on that poll-list, if you please?
Answer. [Indicating] 724.
Question. Did you look anywhere else for him?
Answer. No, sir.
Question. Did you look at 726 Second avenue?
Answer. No, sir.
Question. You looked for Mr. Muller, you say?
Answer. Mr. Miller.
Question. Just spell his name—please.
Answer. M-i-l-l-e-r.
Question. Where?
Answer. 722 or 724; either one of the two places—both places in fact.

Question. Will you find his name on the poll-list—please?

[Witness after examining indicates a name.]

Question. Did you look for a Mr. Mesler anywhere?

Answer. I haven't any recollection of it, unless you call my attention to a particular place. Not on Second avenue.

Question. Did you look for a Mesler in Thirty-ninth street?

Answer. No, sir; not to my recollection.

Question. Do you know what the minutes of the district are as to street numbers?

Answer. I thought I had 'em all awhile ago. I know partially with the exception of that avenue. I have lost that memorandum.

Question. Just give me the boundaries of the seventh district by street numbers, if you please.

Answer. Thirty-eighth street, from 125 to 201.

Question. Whereabouts is 201?

Answer. It's the last house on Thirty-eighth street, adjoining Dutch hill.

Question. Just about the middle of the block?

Answer. Yes, sir.

Question. What is the lowest number?

Answer. 125.

Question. What are the old numbers in that street?

Answer. I don't know any old number, sir.

Question. What are the numbers in Thirty-ninth street?

Answer. 131 to 192.

Question. Isn't there a 193 in Thirty-ninth street?

Answer. No, sir; there may be a stable there.

Question. Are you positive that there is no 193 in that street?

Answer. I would not say positively.

Question. What are the numbers in Fortieth street?

Answer. 132 to 278.

Question. You are positive that those are the numbers in Fortieth street?

Answer. Yes, sir.

Question. Are they old or new numbers?

Answer. I don't know.

Question. What is the last number?

Answer. It's 178.

Question. Isn't there 183 in Fortieth street?

Answer. That's out of the district.

Question. Between what avenues?

Answer. Between Second and First avenues.

Question. How far does the district extend?

Answer. North?

Question. No; east.

Answer. It extends to the river.

Question. How far west does it extend?

Answer. I couldn't give you the positive numbers; I think it's Thirtieth street.

Question. Why do you say that 183 is out of the district?

Answer. The even numbers are on the south side of the street, and the odd on the north.

Question. There is no 183 on that street on the south side, is there?

Answer. No, sir.

Question. What are the numbers in Third avenue?

Answer. 541 to 577; that's the highest number.

Question. What are they in Second avenue?

Answer. The lowest number is 708.

Question. What is the highest?
Answer. 746, I think.
Question. Have you been in the church above here, lately?
Answer. Which church is that, sir?
Question. Up stairs.
Answer. No, sir.
Question. You haven't seen any parties in the room up stairs about this place?
Answer. No, sir.
Question. Did you know any of the persons for whom you made inquiries?
Answer. Not particularly; no, sir.
Question. Did you know them at all?
Answer. None of these that I have turned in; no, sir.
Question. When did you say you last saw Mr. Geoghan?
Answer. I saw him in this building this morning; I suppose about 10 o'clock.
Question. Before we commenced examining here?
Answer. Yes, sir.
Question. Who did he have with him?
Answer. I don't know, sir.
Question. Did he have any other scalawags with him?
Answer. I don't know what you mean by that.
Question. Any other people of his own kind?
Answer. I don't know, sir.
Question. Who did he have with him?
Answer. Mr. Dodge was in conversation with him at one time, and I passed the time of day with him.
Question. Did you overhear any of his conversation with Mr. Dodge?
Answer. No, sir.
Question. Do you know Mr. Coughlin?
Answer. No.
Question. How would you spell the name Coughlin, pronouncing it as if spelt with an f?
Answer. C-o-u-f-l-i-n, or C-o-w-g-h-l-i-n.
Question. Do you know Mr. McLaughlin?
Answer. No, sir.
Question. Who else was present at the time you saw Mr. Dodge and Mr. Geoghan in conversation?
Answer. There was several other parties there.
Question. Who were they?
Answer. I could not tell you.
Question. Were there two other men?
Answer. Yes, sir.
Question. Was there anybody else there besides?
Answer. There was parties came into the hall.
Question. No people together?
Answer. I suppose they was together.
Question. Did you see where these two men with Geoghan went?
Answer. No; I did not see where the two went.
Question. Did you see where he went himself?
Answer. Yes, sir.
Question. Where?
Answer. Up stairs.
Question. Who went up stairs with him?
Answer. That's more than I know.
Question. Did you see Mr. Dodge go up stairs?
Answer. I can't recollect now.
Question. Did any one go up stairs with him?

Answer. That's more than I know.

Question. Do you know what has been his business besides selling rum?

Answer. No, sir.

Question. Never heard of his having any other business?

Answer. No, sir.

Question. I think you told me you didn't know either McLaughlin or Coughlin?

Answer. I do not, sir. I have seen them to-day; they were pointed out as those parties.

Question. Were the persons pointed out as Coughlin and McLaughlin, the same parties that you saw down here with Geoghan?

Answer. That's more than I can state.

Question. Just describe their appearance, will you?

Answer. That I can't do correctly.

Question. Have you received any instructions to make a complaint against those two men for voting illegally?

Answer. No, sir.

Question. Had any conversation with Mr. Dodge on that subject?

Answer. No, sir.

Question. As an officer of the United States marshal, what do you think the duty of good citizens is in regard to two such men?

Answer. If I interpret the law right, I don't see that you can do anything with them, now the time is passed by.

Question. Do you know the time is passed by?

Answer. I don't know; I have no knowledge of it; I heard it here.

Question. Do you consider that it is proved that they voted twice?

Answer. I didn't hear the whole of it

Question. Do you consider it proof that they did it—Mr. Chavis saying so?

Answer. I should judge so.

Question. Then you know that they have done it?

Answer. I don't know that they have done it.

Question. If you are satisfied that they voted twice, what do you think is the duty of an honest man in regard to them?

Answer. I am not satisfied about it.

Question. Does not Mr. Chavis saying that he heard them say that they had voted twice satisfy you that they voted twice?

Answer. I didn't hear him say so.

Question. Would Mr. Chase's assertion that those men had said that they voted twice or three times satisfy you that they had done so or not?

Answer. It is according to the character of the man.

Question. You know Mr. Chase?

Answer. No, sir.

Question. Do you think it entirely depends on the character of Chase?

Answer. The character of the man.

Question. If he is a truthful man you would believe it?

Answer. Yes, sir.

Question. Suppose he were engaged in a little detective operation at that time, would you believe him?

Answer. I would till I found out the contrary, certainly.

Question. Your idea is that even when men are engaged in detective operations you believe them?

Answer. Yes, sir.

Question. If you thought he was acting as a partisan, and had a little detective operation at the same time, would you believe him?

Answer. I believe every man's word until I find the contrary.

Question. Would you consider the statements of these two men reliable?

Answer. I should consider it so. I don't know why they should come forward and make such a statement if it wasn't true.

Question. You consider both Mr. Chase and these two men as alike truthful?

Answer. Yes, sir.

Question. You were speaking about there not being any possibility of punishing those two men; what did you mean by that?

Answer. If I interpret the corporation ordinance correctly in regard to that, the information has got to be laid thirty days subsequent to the election.

Question. Isn't that an ordinance with regard to the reward only?

Answer. That's more than I could state. I have been thinking over it ever since I have been sitting here.

Question. If there is no limit of thirty days to the indictment, do you consider it the duty of all honest men to have those men indicted?

Answer. I think it's their duty; yes, sir.

Question. As you saw Mr. Dodge and Mr. Geoghan talking together, will you be kind enough to describe Geoghan's appearance as near as you can?

Answer. Mr. Geoghan is a man that stands as nearly six foot as possible; light complexion, no beard; he may possibly have a moustache; I think he has no beard at all.

Question. Where were they standing?

Answer. Merely passing through the hall.

Question. By the outer door?

Answer. No, by the inner door.

Question. Who else was near them at the time?

Answer. Mr. Taylor might have been there for what I know; I didn't take any particular notice.

Question. Where did you go when you passed them?

Answer. I went over and had a drink.

Question. You left them standing there when you went to get your drink?

Answer. Yes, sir.

Question. And where did Mr. Dodge go—not with you to get a drink, did he?

Answer. No, sir; I don't know where he went.

Question. You left Mr. Dodge standing there, then, when Mr. Geoghan went up stairs?

Answer. I think I did.

Question. Did you hear anything said between them as Geoghan went up?

Answer. No, sir.

RUSSELL MYERS.

Attest: JOHN R. BRADY, *J. C. P.*

Adjourned to Monday, March 22, 1865, at 7 o'clock p. m.

MONDAY, *March* 27, 1865.

F. Zittel recalled.

(Objected to on the ground that, no second notice having been given, and this witness having been previously examined, the former notice is exhausted.)

Mr. PHELPS:

Question. Do you know Robert F. Dennison, 156 East Thirty-first street?

Answer. Yes, sir.

Question. Did he ever tell you for whom he voted for member of Congress?

Answer. He did.

Question. For whom did he say he voted ?
Answer. William E. Dodge.
Question. Do you know Mr. Theodore P. Wheeler ?
Answer. Yes, sir.
Question. Do you know where he lives ?
Answer. He lives in the same number, 156 East Thirty-first street.
Question. Did he ever tell you he voted for member of Congress at the November election ?
Answer. Yes, sir.
Question. For whom did he vote ?
Answer. Mr. Dodge.
Question. The residences of these two gentlemen are in the third district of the Twenty-first ward ?
Answer. I believe so; it is on Thirty-first street, between Second and Third avenues.

Mr. ANTHON :

Question. You have been examined here once before, have you not ?
Answer. Yes, sir.
Question. Did you know about these two gentlemen then ?
Answer. I knew the gentlemen.
Question. Did you know about their voting ?
Answer. Not at that time.
Question. When did Robert F. Dennison say he voted for Mr. Dodge ?
Answer. He told me this evening.
Question. How long ago ?
Answer. It is three-quarters of an hour, I guess; I was told by other parties that he voted for Mr. Dodge, but I hadn't seen him.
Question. When did Wheeler tell you ?
Answer. Wheeler told me yesterday.
Question. Did either of them tell you where he voted ?
Answer. Mr. Wheeler told me he voted corner of Thirty-first street and Second avenue.
Question. Did Mr. Dennison tell you where he voted ?
Answer. No, sir; I didn't ask him.
Question. Did you ask them the question whom they voted for ?
Answer. Yes, sir.
Question. What other questions did you ask them ?
Answer. I don't know as I asked them any other questions; I asked them who they voted for for member of Congress; they told me they voted for Mr. Dodge; that is all I asked them.
Question. Have you attended any of the examinations here ?
Answer. Only at the time I was examined.
Question. Did you hear any one examined who claimed to have voted for Mr. Dodge besides yourself ?
Answer. Well, there was a number examined the evening I was there, but I can't remember their names.
Question. Don't you remember that each one of them was asked whether he had read his ticket or not ?
Answer. I don't remember.
Question. Were you not asked that question yourself ?
Answer. Yes, I believe, I was.
Question. Why, then, didn't you ask these two gentlemen whether they had seen their tickets, so that they could be assured of their vote ?
Answer. I didn't think of asking them particularly about that.

Question. Did you ask any questions tending to show whether they had really and honestly voted for Mr. Dodge or not?

Answer. I asked them simply whether they had voted for Mr. Brooks or Mr. Dodge for Congress; they told me for Mr. Dodge.

Question. You thought it was no use to get anything from them except what would be good for Mr. Dodge?

Answer. That's all. They are both here present, if you wish to get anything from them.

Question. Did you ask either of them whether they had bet on the election?

Answer. I did not, sir.

Question. At whose request did you make these inquiries?

Answer. I don't know as I was any way requested to do so; it was my own doings. It was another gentleman in the house that I had thought voted for Mr. Dodge that told me, and he told me he didn't know; he voted the split ticket, and I was not sure whether he voted for him or not; but he said, "My brother-in-law voted for Mr. Dodge."

Question. How many persons have you asked whether they voted for Mr. Dodge or not?

Answer. There have been very few; I couldn't say how many.

Question. And no one requested you to do it?

Answer. No, sir.

Question. Why did you do it?

Answer. Well, I have always known Mr. Dodge by reputation, and I took an interest in the affair of the election.

Question. In what other respect have you taken an interest in his "affair," as you call it, since the commencement of this examination?

Answer. I don't know as I have taken any.

Question. What did you do as soon as you found out about these two men?

Answer. I came to the house to inquire whether they did or not.

Question. What did you do then?

Answer. I inquired of them, and they told me they did.

Question. What did you do then?

Answer. Then they came up here with me; I brought them right in.

Question. How many more votes of other persons have you testified to here?

Answer. To none, I believe. There is one more that I expect to see.

Question. When you were last examined here, did you testify to any votes besides your own?

Answer. No, sir.

Question. Did you testify anything with regard to a man named Casta then?

Answer. No, sir.

Question. You say there was another person whom you had intended to ask?

Answer. There was another person in the same house, and I waited for him, and he hadn't come home, and I thought I would come up with these gentlemen first.

Question. What is your business when you are not engaged in manufacturing testimony?

Answer. My business is a grocery-man.

Question. Is it any part of your business to go around in this way, asking people who they voted for, and manufacturing testimony; or is that merely a relaxation?

Answer. I don't know as that is my business; and I don't know as that is any harm.

Question. It is not your regular business?

Answer. No, sir; I have never meddled in politics before.

Question. Have you made any agreement as to your compensation for this work?

Answer. No, I have no agreement.
Question. Have you been promised anything for this work?
Answer. No, sir; never been promised anything.
Question. Have you received anything already?
Answer. I don't do it for pay.
Question. You don't expect to get any pay or reward for this work at all?
Answer. No, sir; I don't expect to get anything.
Question. You have had no promise of any kind of any remuneration for this?
Answer. Nothing whatever.
Question. Where do you live?
Answer. The old number is 403; the new number is 547 Second avenue.
Question. Do you own the house you live in?
Answer. No, sir.
Question. Who do you hire from?
Answer. I hired from a *Mr.* Kelly; she is now a Mrs. Kelly.
Question. Is she the owner of the house?
Answer. She was the owner; she has sold it now.
Question. Do you know Mr. Burchell in Thirtieth street?
Answer. I don't sir. Is he a lawyer?
Question. I should think not; he is a house agent, I believe.
Answer. I don't know him.

F. ZITTEL.

Attest: JNO. R. BRADY, *J. C. P.*

(At this stage of the proceedings, Mr. Dodge's counsel offers Robert F. Dennison and Theodore P. Wheeler for examination if desired.)

Oliver Taylor sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 508 East Sixteenth street.
Question. Did you live there on the 8th of November last?
Answer. Yes, sir.
Question. Are you a citizen of the United States and a regular voter of that district?
Answer. Yes, sir.
Question. Did you vote there on the 8th of November last?
Answer. Yes.
Question. What district is that in?
Answer. I think it is the fifteenth.
Question. Where did you deposit your vote?
Answer. It was a place in the rear of Thompson's house there.
Question. What time of the day did you vote?
Answer. I think it was between 9 and 10 o'clock, to the best of my opinion.
Question. Do you remember how you voted for member of Congress?
Answer. I do, sir.
Question. For whom did you vote?
Answer. I voted for Mr. Dodge.

Mr. ANTHON:

Question. How long have you lived in East Sixteenth street?
Answer. I moved there, I think it was the 1st of May.
Question. Was it the 1st or 2d?

Answer. I am not positive which.
Question. Where did you move from?
Answer. I moved from between Eleventh and Twelfth streets in avenue A.
Question. How long had you lived there?
Answer. Well, I didn't live there a great while.
Question. How long?
Answer. Well, I couldn't say.
Question. Was it a year, or a month, or a week?
Answer. Yes, it was over a month; it was not a year, nor it was not six months; I am not positive of the time exactly.
Question. Where had you lived before that time?
Answer. I lived on Staten Island.
Question. When did you leave Staten Island?
Answer. I left there in February.
Question. In February, '64?
Answer. Yes, sir.
Question. What is your business?
Answer. I am a painter.
Question. Did you read the ticket you voted for Mr. Dodge?
Answer. Yes, sir; I saw Mr. Dodge's name on the ticket.

his
OLIVER ⋈ TAYLOR.
mark.

Attest: JNO. R. BRADY, *J. C. P.*

Nathaniel Burchell recalled. (Mr. Anthon, counsel for Mr. Brooks, objects upon the ground that the witness has been examined twice already, and that this constant recalling of the same witness is almost direct evidence of the improper management of testimony, to use no stronger term.)

Mr. Phelps:

Question. Do you know Oliver Taylor?
Answer. I do, sir.
Question. Have you seen a certified copy of the poll-list used in the November election in the fifteenth district of the Eighteenth ward?
Answer. I have.
Question. Is Mr. Oliver Taylor's name on it?
Answer. No.
Question. You have given considerable time, at my request, to discovering who voted for Mr. Dodge in this district, have you not?
Answer. Yes, sir.
Question. Do you know a man by the name of Charles Miller?
Answer. I do.
Question. Where does he reside?
Answer. 56 East Thirty-first street.
Question. Do you know how he voted for member of Congress?
Answer. He told me to-day. Although I knew the man for some time past, I didn't know he voted for Mr. Dodge until to-day. He voted the whole republican ticket.
Question. Will you mention to me the names of others who told you they voted for Mr. Dodge, and whose testimony we have not taken.
Answer. John Tully, 150 East Thirty-first street; Edward Boylan, 152 East Thirty-first street; William Boyce, 160 East Thirty-first street; J. L. Hoyne, 150 East Thirty-first street; Michael Maher, 168 East Thirty-first street; Pat-

rick Donnelly, senior, 162 East Thirty-first street; J. H. Barnstoff, 562 Second avenue.

(Mr. Anthon, counsel for Mr. Brooks, objects to any evidence by hearsay being given as to the vote of John Tully, because his name is on the list of witnesses furnished to the contestant as witnesses to be examined. He makes the same objection also with regard to Edward Boylan, William Boyce, J. L. Hoyne, Patrick Donnelly, sen., and J. H. Barnstoff.)

Mr. PHELPS:

Question. Do you know what has prevented the presence of Patrick Donnelly, senior?

Answer. The man is dead now; died since I seen him last. He remarked to me, when I asked him who he voted for, that he voted for Mr. Dodge; and the reason why he did vote for him was that he was idle all last summer, and he couldn't get any of the democratic party to get him on the streets, and he wouldn't vote for them again.

Question. Did Mr. Hoyne promise to come up?

Answer. Yes, sir; and when I went for him once or twice I asked him, "What's the reason why you don't come up?" he said he was at work at present in a very good situation, and that he would lose his situation if he came here to testify how he voted, but that he was a republican and always was.

Question. John Tully—do you know him well?

Answer. I do; he told me he voted for Mr. Dodge.

Question. Did you try to get Tully to come up?

Answer. I did.

Question. Did he promise to come up?

Answer. Indeed he did; more than twice or three times.

Question. What excuse did he give?

Answer. He promised always to come, but didn't.

Question. What does William Boyce do?

Answer. He is a shoemaker by trade.

Question. Have you known all these parties well that you have spoken of?

Answer. Yes, sir; every one of them.

Question. Are they all residents of the immediate vicinity of your house?

Answer. Yes, sir.

Question. Did Edward Boylan tell you positively that he voted for Mr. Dodge?

Answer. He did. I met him about four days before he died——

Question. Is Boylan dead?

Answer. He is; and he asked me when we would be prepared for him here, and I told him that I would let him know when his notice was out, and he said he would be ready any minute to come up, as soon as I would let him know; he voted for Mr. Dodge.

Question. Michael Maher—when did you ask him about his vote?

Answer. I asked him some time before this contest commenced, and he said he voted for Mr. Dodge. I went to him and asked him to come up—he is a storekeeper in Thirty-first street—and he told me he would; but if he came up it would injure his business, so that I ought not to press upon him, as his landlord, to come up here, as it would injure his business.

Question. How about Barnstoff—did he tell you positively that he voted for Mr. Dodge?

Answer. I am not so positive about him as the other parties.

Question. What does he do?

Answer. He is a storekeeper.

Question. In republican employ?

Answer. No, sir; he keeps a grocery and liquor store.

Question. I may have asked you in your direct examination, but I forget the answer, as to whether you had been long a resident of the district?

Answer. Over four years now.

Question. Were you here at the time of the riots?

Answer. I was, sir.

Question. How near do you live to the corner of Thirty-first street and Second avenue?

Answer. About one hundred feet from the corner.

Question. Were you here during the riots of July?

Answer. I was.

Question. Were you in your house at the time of the disturbance at the corner?

Answer. I was not. A friend of mine sent out for me; I went out with him, and he told me I hadn't better go out for the night. There was some military came along while I was there talking, and went as far as the corner of Thirty-first street, and there was some shots fired at them.

Question. Whereabouts were the shots fired from?

Answer. Right out of the corner store.

Question. Who keeps the corner store?

Answer. Mr. Fitz Simmons.

Question. What else did you see?

Answer. Well, now, Mr. Phelps, if this is not a decided advantage to your cause, I would rather you would not press me. He is a neighbor of mine; I am on friendly terms with him ever since I came to that place, and it may be hurtful to his feelings.

Question. We have already in evidence what occurred there, and I don't well see what further hurt Mr. Fitz Simmons can have. We have already in evidence the fact that shots were fired from his house, and that a party, I think, was killed there. I simply wish to get corroborative evidence of that.

Answer. If I do it, I don't do it out of any unfriendly feelings towards you, Mr. Fitz Simmons, (addressing some person in the crowd.)

Question. They fired from that house upon the military. What did the military do?

Answer. They charged upon the house then.

Question. Did they enter the house?

Answer. Entered the house through the yard—wounded some—killed one at least. As soon as the military withdrew, I then went out and went into my own house. I saw the one man taken out the street door—not the front door, but the side door, and carried down the street.

Question. Do you know who he was?

Answer. I do not, sir; I never heard of his burial afterwards.

Question. Did you go into Mr. Fitz Simmons's house that day?

Answer. The morning after I went in there. I saw a good deal of marks of the fire in there from the military—a lot of bullet-holes in the wall, and blood on the floor.

Question Was there more than a single shot fired from the house upon the military?

Answer. I can't state, because I closed the doors and didn't see any more. I went back into the yard, and saw a great many signs of blood there also.

Question. Did you hear anything about Mr. Fitz Simmons being arrested?

Answer. Yes, sir; I have.

Question. On account of his alleged connexion with this disturbance of July?

Answer. Yes, sir; I suppose so, as he was the owner of the house where the disturbance proceeded from or commenced.

Mr. ANTHON:

Question. How many times have you been examined in this matter?

Answer. I believe this is the third time, if I don't mistake.

Question. How many times more do you intend to be examined?

Answer. As often as I can be useful to my friends.

Question. You expect to find out from time to time any matter to testify to as you go along?

Answer. If I can get it in some shape—from myself and others.

Question. For how many houses of Mr. Dodge are you agent?

Answer. Well, I don't know that I can call it more than one house; it is a continuation of the one house; it runs right across the lot.

Question. That is the only house of his for which you are agent?

Answer. That is all, sir.

Question. For how much other property of his are you agent?

Answer. For no other.

Question. How large is that one house for which you are agent?

Answer. Well, it contains—you might judge from the number of families it contains. I believe six tenants it will hold; and a small stable containing eight horses.

Question. How long have you known Oliver Taylor?

Answer. Indeed I have not known him long.

Question. How long?

Answer. I suppose about six weeks now.

Question. How did you happen to hunt him out?

Answer. Strange to say, that man is a tenant of mine for about twelve months, and I never seen him until about six weeks ago. His wife paid the rent.

Question. Whereabouts?

Answer. Sixteenth street, between avenues A and B.

Question. Where is that copy of the poll-list that you looked at?

Answer. I believe it is down in avenue C.

Question. In whose possession?

Answer. I left it in the possession of Patrick Karney.

Question. Who is Patrick Karney?

Answer. A man I am acquainted with there.

Question. Was he an inspector of elections at the last election?

Answer. No, sir; I happened to call into his place and left it there.

Question. Was he a poll-clerk at the last election?

Answer. No, sir.

Question. Was he a register at the last election?

Answer. No, sir.

Question. How do you know that is a certified copy of the poll-list?

Answer. I have been told so.

Question. By whom?

Answer. By Mr. Phelps.

Question. How long has this man Karney had this poll-list?

Answer. I left it there some time ago.

Question. What did you leave it there for?

Answer. I left it there because I was going down town and I didn't want to have it in my hand going down.

Question. Did you ever look at the original poll-list?

Answer. No, sir.

Question. Do you know where the original poll-list is?

Answer. I don't know; I suppose it is in the register's office.

Question. Why didn't you go and look at the original?

Answer. I thought there was no necessity when I got a certified copy of it.

Question. Have you that poll-list with you here?

Answer. No, sir.

(Mr. Anthon, counsel for Mr. Brooks, objects to any evidence being given as to any examination of the poll-list referred to without its production.)

Question. Did you look to see if there was any name that resembled Taylor on that poll-list?

Answer. I did.

Question. Didn't you find any Taylor on that poll-list?

Answer. No. I can get another person to tell the same who examined it carefully.

Question. How many names were there on that poll-list?

Answer. Some 480 or 90, I think—something like that.

Question. Tell me again how you happened to come across this man Taylor?

Answer. He was a tenant of mine.

Question. Have you been to see all your tenants, and ask them what they did in relation to this election?

Answer. No, sir.

Question. How many have you been to see?

Answer. I can't tell you; I couldn't answer that question.

Question. I ask you if there are any of your tenants that you have not been to see?

Answer. Plenty of them.

Question. How many have you seen, and how many have you not seen?

Answer. Indeed, I couldn't tell you. I have been to every man that I thought voted, and those I didn't think voted I didn't go to them.

Question. Don't you mean all that voted for Mr. Dodge?

Answer. Yes, sir; I mean that.

Question. Didn't you mean to say, all that you could make say they voted for Mr. Dodge?

Answer. No, sir.

Question. How many did you ask that voted for some one else beside Mr. Dodge; how many?

Answer. That's something I can't tell you.

Question. Where is Charles Miller now?

Answer. He is here in the city.

Question. Did you make any effort to bring him down here to-night?

Answer. He was not noticed, or else he would come down.

Question. Did you make any effort to bring him?

Answer. No, sir; I didn't.

Question. When did he tell you that he voted for Mr. Dodge?

Answer. This day.

Question. How long ago?

Answer. I suppose about 5 o'clock.

Question. How old a man is Miller?

Answer. I suppose about 40 years of age.

Question. Have you seen his name on any poll-list?

Answer. No, sir; I have not.

Question. At whose request did you ask him who he voted for?

Answer. Well, he met a friend of mine and told him he voted for Mr. Dodge, and I went and asked him and he said he voted the whole republican ticket.

Question. Was that what he said—that he voted the whole republican ticket?

Answer. Yes, sir.

Question. Was that all he said?

Answer. Yes; that was all he said—he voted the whole republican ticket.

Question. He didn't say he had voted for Mr. Dodge, then, but that he voted the whole republican ticket?

Answer. The whole republican ticket.

Question. Did you ask him any other question about his vote?

Answer. No.

Question. Did you ask him whether he had seen his ballot?

Answer. No.

Question. You have been in attendance here every night of this investigation?

Answer. Yes.

Question. Didn't you know that it was a very important question for Mr. Brooks, whether a man had looked at his ticket before he voted?

Answer. Yes; but he told me so decidedly that he voted the whole republican ticket that I felt satisfied.

Question. Haven't you heard several men say that they voted positively for Mr. Dodge, and then see that they didn't know whether they voted for Mr. Dodge or not?

Answer. I did.

Question. Why didn't you ask him that?

Answer. I didn't think it was necessary, and I was in a hurry.

Question. Why didn't you think it was necessary?

Answer. Why, the fact is, I didn't ask him the question.

Question. Why?

Answer. Because I was in a hurry.

Question. You were in too much of a hurry to ask anything that might tend to hurt Mr. Dodge?

Answer. If Mr. Brooks was a friend of mine I would just work as well for him.

Question. Don't you know that I have asked that question of every man that has been examined; and why, then, did you not ask him that question?

Answer. Why, because I omitted it. He told me decidedly that he voted the whole republican ticket.

Question. Is Mr. Miller a tenant of yours?

Answer. Yes; and I never knew until yesterday that he voted for Mr. Dodge.

Question. You don't think there is any chance of a tenant of yours saying that he voted as he knew you wanted him to, in order to secure his place?

Answer. No, sir; I don't think he would. He has to pay me rent the same as he has to pay any other man rent.

Question. You don't think it is possible that a man would be influenced in his statement of his vote by the fact that his landlord asks him?

Answer. It may sometimes be; I don't suspect any of the men.

Question. As a general thing, you think it might be so, don't you?

Answer. There are some queer people in the world that would do so.

Question. How many tenants do you suppose you have in all?

Answer. I suppose some one hundred and fifty or one hundred and fifty-five.

Question. Are these your own tenants, or your tenants as agent for other parties?

Answer. As agent for different parties.

Question. This John Tully—is he a tenant of yours?

Answer. He is.

Question. When did you ask him about his vote?

Answer. Some two months ago—more: I asked him at the time of the election.

Question. Was it before the election or after?

Answer. Before he voted.

Question. Have you asked him since the election?

Answer. I have, sir; I asked him the very day of the election; "Yes,' says he, "I voted it."

Question. Did you ask him whether he read his ticket?

Answer. I gave him the ticket.

Question Did you ask him whether he read it or not?

Answer. I gave it to him, and said, there was Mr. Dodge's ticket. I asked him, "Do you know the ticket you voted?" "I do," says he; "I saw Mr. Dodge's name on it."

Question. Did you ask him whether he had any bet on the election?

Answer. No, sir.

Question. Do you know how long he lived in that place?

Answer. I don't know whether it is two or three years.

Question. Do you know where he was born?

Answer. I suspect he was born in Ireland, but I don't know positively.

Question. Do you know whether he was naturalized?

Answer. I can't say, sir.

Question. You don't know whether he was a legal voter, or not?

Answer. I don't know; but I have known him to vote before.

Question. Is Edward Boylan a tenant of yours?

Answer. He was, sir.

Question. What questions did you ask him about his vote?

Answer. I asked him who he voted for.

Question. Nothing else but that?

Answer. Nothing else.

Question. Is he an American citizen, do you know; I mean a native-born citizen.

Answer. I should suspect he was.

Question. Do you know?

Answer. No.

Question. How long had he been living in that place, 150 East Thirty-first street, before the election?

Answer. About a year, I think it is.

Question. Are you sure about a year?

Answer. I should think it was, I am pretty sure it is about a year; he came in there about the 1st of May last, if I don't mistake.

Question. Are you sure he had lived there about a year before the election?

Answer. Oh, I don't know that.

Question. Do you know were he lived before that?

Answer. No, sir.

Question. Do you know that he had lived in this State for a year?

Answer. I don't know, sir.

Question. You don't know whether he was a legal voter or not?

Answer. I can't tell you anything about it.

Question. You don't know whether he bet on the election?

Answer. I don't know.

Question. William Boyce—is he a tenant of yours?

Answer. Not now.

Question. Was he at the time of the election?

Answer. No, sir.

Question. Was he previous to the election?

Answer. He was.

Question. How long previous to the election?

Answer. Twelve months, I suppose.

Question. When did he cease to be a tenant of yours?

Answer. Something about nine months before the election.

Question. Where did he live at the time of the election?

Answer. Right across the way from where I live.
Question. Give me the number and street.
Answer. 162 Thirty-first street.
Question. Do you know where he was born?
Answer. No, sir.
Question. Do you know whether he was a legal voter or not?
Answer. I can't tell you; I knew him to vote before at elections.
Question. J. L. Hoyne—was he a tenant of yours?
Answer. He was.
Question. How long had he lived in that place?
Answer. About three months—Oh, I think he was about six months.
Question. Where had he lived before that time?
Answer. I don't know, sir.
Question. Do you know that he had lived in the city previous to the election?
Answer. I believe he has from what he told me.
Question. Do you know?
Answer. He told me he was in business in some place down town, and I know from that that he must have lived there.
Question. Does it follow that every man must live where he does business?
Answer. He lives in the city, I believe that from what he told me.
Question. Do you know where he was born?
Answer. Well, he told me he was born in England.
Question. Do you know whether he was ever naturalized or not?
Answer. I cannot tell you.
Question. Michael Maher—was he a tenant of yours at the time of the election?
Answer. He was.
Question. How long had he been your tenant before the election?
Answer. Over two years.
Question. Where was he born?
Answer. I can't tell you, sir; he was born in Ireland, I believe.
Question. Do you know whether he was naturalized?
Answer. I can't tell.
Question. Was Patrick Donnelly a tenant of yours?
Answer. No, sir.
Question. Where did he live at the time of the election?
Answer. In the same house he lives now.
Question. Do you know whether Donnelly is a native-born citizen or not?
Answer. I don't know, sir.
Question. Do you know whether any of these men had bet upon the election or not?
Answer. I can't tell.
Question. J. H. Barnstoff—was he a tenant of yours?
Answer. No, sir.
Question. What is Barnstoff's business?
Answer. He keeps a grocery and liquor store.
Question. Whereabouts?
Answer. At the corner of Second avenue.
Question. Have you ever seen any of these men—Miller, Tully, Boylan, Boyce, Hoyne, Maher, Donnelly, or Barnstoff—in this room since the commencement of this investigation.
Answer. I have.
Question. Which ones?
Answer. I have seen Barnstoff.
Question. Any one else?
Answer. I have seen Tully.
Question Any one else?

Answer. I have seen Tully three or four times here.

Question. How many times have you seen Barnstoff here?

Answer. Once.

Question. Do you know why Tully and Barnstoff were here?

Answer. Barnstoff was here in consequence of a subpœna.

Question. By whom?

Answer. By Mr. Phelps's directions

Question. How near to the corner of Thirty-first street and Second avenue do you live?

Answer. A little over a hundred feet.

Question. During the time of the riot did you see Mr. Fitz Simmons anywhere?

Answer. Well, not exactly the riot that occurred that night, I didn't see him anywhere. He was in his house.

Question How do you know that?

Answer. Nothing more than my supposing he was there.

Question. Do you know anything about it?

Answer. No.

Question. Are you sure he was not in Jersey City that night?

Answer. He might be in Philadelphia for what I know; but I suspect he was there from his being seen in the morning. I heard he was arrested; that's all I know about him.

Question. When was he arrested?

Answer. That night; at what time I can't tell.

Question. Was he at his house in the morning?

Answer. I can't say.

Question. Did you not say he was at his house in the morning?

Answer. I didn't say that Fitz Simmons was at his house in the morning; I say that he was in his house, from the fact that he was arrested. I don't know whether it was in the morning or that night. He was arrested that night or in the morning some time.

Question. Just say whether it was that night or in the morning.

Answer. I don't know, sir.

Question. And you don't know whether he was in his house at the time of this fire or not?

Answer. I don't know anything about it; he might be twenty miles away for what I know.

Question. Do you know who fired those shots from his house?

Answer. No, sir.

Question. Where were you when they were fired?

Answer. I was about the centre of the block, between Thirtieth and Thirty-first street, on the avenue.

Question. Which way were you looking?

Answer. I was looking in the direction that the military were going.

Question. Which way was that?

Answer. They were going up the avenue.

Question. Were you looking up or down the avenue?

Answer. I was looking up in the direction they were going.

Question. Up or down?

Answer. I was looking up the avenue.

Question. How far were you from Fitz Simmons's house?

Answer. About the centre of the block.

Question. That is about what distance?

Answer. About one hundred and fifty feet, I should think, from where I was standing.

Question. How many shots did you see fired before you ran away?

Answer. I didn't run at all.

Question. How many shots did you see fired?

Answer. Well, I saw a flash of one shot from the windows; then I was hallooed to, to close the doors, and I did close them.

Question. The doors of what place?

Answer. The house I was standing at.

Question. What house was that?

Answer. Charley Nungeiger's house.

Question. Who was with you?

Answer. He was with me.

Question. Any one else?

Answer. Yes; there was an old man there.

Question. What is his name?

Answer. I declare, I can't tell you his name.

Question. What did you do after you had shut the door?

Answer. I stepped inside.

Question. How long did you stay inside; half an hour?

Answer. More than half an hour; and then I went down as quick as I could. I was in a hurry to get into the house, because my family didn't know where I was. They were rather uneasy; and as soon as I thought it was safe for me to go out, I slipped into my own house.

Question. Did you see any other shots fired that day?

Answer. I heard them fired, but didn't see them

Question. Are you sure that that shot was fired from Fitz Simmons's house?

Answer. I am.

Question. What makes you sure?

Answer. Because I saw it fired from that direction.

Question. Could you be sure, one hundred and fifty feet off, whether a shot was fired from a particular house or not?

Answer. Yes, sir.

Question. Is not there a house next to Fitz Simmons's, on the other side?

Answer. There is a house on the far side, between 32d street and 31st, but nothing between 31st street and Fitz Simmons's house.

Question. What window of Fitz Simmons's house did yousee that shot fired from?

Answer. I couldn't say exactly, but I believe on the second floor, if I don't mistake.

Question. Are you sure of that?

Answer. I think I am.

Question. Which window was it on the second floor?

Answer. I couldn't tell you.

Question. How many windows are there on the front side of that house?

Answer. I never counted; three or four—three I should think.

Question. Are you sure there were not four?

Answer. No, sir; I am not sure; there may be four.

Question. Which one of those four windows was it that you saw the shot fired from?

Answer. I can't tell.

Question. Are you sure it was the first—the nearest to you?

Answer. I can't tell.

Question. You think it was the furthest one?

Answer. I think it came from about the middle.

Question. Are you ready to swear that it was about the middle window of the second floor?

Answer. I am not ready to swear, but I think it was, to the best of my opinion.

Question. If there were four windows in the front of the house, which do you call the middle one?

Answer. I said there might be.

Question. If there were, which would you call the middle one?

Answer. I couldn't say which was the middle.

Question. If you don't know whether there were three or four windows, why do you say it was the middle window?

Answer. I didn't swear it was the middle one.

Question. How do you determine that it was the middle window from which you saw that shot fired?

Answer. It was some distance from the corner where I saw the shot fired from—some short distance from the corner.

Question. When did you next see Fitz Simmons after the firing of the military there?

Answer. Some few days after.

Question. Did you make any inquiry of him as to the firing?

Answer. No, sir.

Question. When was it that you went into Fitz Simmons's house?

Answer. The morning after the firing—early in the morning.

Question. About what hour?

Answer. I should think it was about five o'clock.

Question. Did you go up stairs?

Answer. No.

Question. You didn't go up into the second story where you thought you saw the shot fired from?

Answer. No, sir.

Question. All that you saw was the trace of blood and shooting on the first floor and in the yard?

Answer. Yes.

Question. How many witnesses have you brought here in all?

Answer. I don't recollect now.

Question. Can't you tell me about how many?

Answer. Forty or fifty, or sixty, perhaps. I should rather say sixty.

Question. You think you have done a pretty good work altogether?

Answer. I would like to do a little more; I am not satisfied yet.

N. BURCHELL.

Attest: JNO. R. BRADY, *J. C. P.*

Peter Wade sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. I live in 229 Nineteenth street, between avenues A and B.

Question. Do you live in Seventeenth or Nineteenth street?

Answer. I live in Nineteenth street—no, Seventeenth street.

Question. What number?

Answer. 229.

Question. Did you live there on the eighth of November last?

Answer. I have lived there over five years, in the one room.

Question. Did you vote on the 8th of November?

Answer. I did.

Question. Where?

Answer. You want to come a game over me.

Question No, sir.

Answer. I voted at the corner of avenue B and Fifteenth street, in James Thompson's.

Question. Do you know who you voted for for member of Congress?

Answer. I do.

Question. Who?

Answer. Mr. Dodge.

Mr. ANTHON:

Question. Did you read your ticket?

Answer. Oh, yes; I opened them and read them over right through.

Question. Do you remember seeing Dodge's name on the ticket you voted?

Answer. I did—I seen it.

Question. Where did you get your ticket from?

Answer. From that man there, (pointing to Mr. Burchell)

Question. Are you a tenant of his?

Answer. I am not; I am no tenant of the man at all.

Question. Are you a temperance man?

Answer. I can take a little drink any way.

Question. How many tots have you taken to-day?

Answer. About two or three, I suppose; I would like to go and take one now.

Question. I see you hear a great deal better when we are talking about that? (The witness was very deaf.)

Answer. Yes, sir; I can hear a great deal better.

Question. How long ago was the last one?

Answer. About an hour ago.

Question. Who has talked to you about this contested election since the day of election?

Answer. Mr. Burchell.

Question. How many times has he talked to you about it?

Answer. About two times.

Question. He never found any difficulty in making you hear when he was talking Dodge to you?

Answer. I guess not.

PETER WADE.

Attest: JOHN R. BRADY, *J. C. P*

Robert Lister sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 255 East Seventeenth street.

Question. Did you vote on the 18th of November last?

Answer. Yes, sir.

Question. Where did you vote?

Answer. Fifteenth street, at Mr. Thompson's.

Question. Did you vote for member of Congress?

Answer. Yes, sir; at least I think so; I am not positive.

Question. Who do you think you voted for?

Answer. Well, I think, if I am on oath, I voted for Mr. Barr.

ROBERT LISTER.

Attest: JNO. R. BRADY, *J. C. P.*

W. W. Phelps sworn.

Mr. DODGE:

Question. Where do you live?

Answer. 197 Madison avenue.

Question. Are you a resident of the eighth congressional district?

Answer. I am

Question. Can you tell me of what ward the eighth congressional district is composed?

Answer. The Eighteenth, Twentieth, and Twenty-first wards.

Question. What was the vote for presidential electors in this district in November last?

Answer. Over 22,400.

Question. Was this considered a large vote?

Answer. I should think it was very large; it is unprecedentedly large in that district.

Question. At the late election for members of Congress, for what office was the largest number of votes cast in this district?

Answer. I think the largest number was for governor; (that would be the election of 1862,) and the vote for governor was 215,568. I say I think, because I don't know whether in my counting I included scattering votes or not.

Question. How much less was this than the vote for President in 1864?

Answer. It was less by some 7,000 votes.

Question. On which political side was this increase the greater?

Answer. On the democratic side.

Question. By how much?

Answer. I should say, without being positive, by some 2,000 more.

Question. During these two years what, if any, was the increase in the vote of the Eighteenth ward?

Answer. Nearly 2,000.

Question. Were there any new dwelling-houses of any description erected in this ward, the eighteenth, during the last two years?

Answer. There were a very few dwelling houses indeed; less than in twentieth.

Question. Do you know anything of the twelfth district of the Eighteenth ward?

Answer. The twelfth district of the Eighteenth ward, just before the election, we subdivided into two districts: one retaining the old name, and called the twelfth district, the other called the fifteenth district.

Question. How many votes did the old twelfth district ever cast?

Answer. The old twelfth district never cast as many as seven hundred.

Question. How many did it cast in the November election of 1863?

Answer. In the November election of 1863 the contest for secretary of state was the most exciting of the officers then balloted for, and it cast less than five hundred votes.

Question. How many in the November election of 1864?

Answer. As I stated, the vote of the old twelfth district of the year previous would be represented by the two districts into which it was subdivided; and in the presidential election, uniting the two, we have what is called the twelfth district, 392 votes; the fifteenth, 471; making a total of 863 for the presidential vote of 1864.

Question. What increase does that make during the year?

Answer. The vote for secretary of state in the year previous was four hundred and ninety-six, which gave an increase in the vote of 1864 over the vote of 1863 of three hundred and sixty-seven—about 74 per cent.

Question. Are you aware that any dwelling-houses were erected in the district during the year past?

Answer. In the fifteenth district there was none; I think there was none in the twelfth.

Question. How many votes were voted in the thirteenth district of the Eighteenth ward in the November election of 1863?

Answer. In the November election of 1863, for secretary of state, (I choose the vote on that ticket as being the highest,) three hundred and forty-five votes were polled.

Question. And how many in 1864?

Answer. In 1864, for President, five hundred and twelve.

Question. What increase does that show?

Answer. One hundred and sixty-seven, or nearly fifty per cent.

Question. Will you state how you got this information?

Answer. I got this information from certified copies of the returns in the county clerk's office for the last four years, and deductions from them.

Question. Have you acted as my counsel in the matter of this contested election?

Answer. Yes, sir.

Question. Have you a list of the voters of the third district of the Twenty-first ward?

Answer. I have got a certified copy of the poll-list.

Question. Was there a pamphlet published by the clerk of this county with instructions to the officers of registry and poll of the election?

Answer. Yes; I have it here.

Question. Where did you get it?

Answer. I got it from the office of the clerk of the city.

Question. What does it say about the duties of canvassers and inspectors, and about oaths?

Answer. It states distinctly that the district canvassers must be appointed by the board of supervisors previous to election day, or on said day by the supervisor living nearest to the election district, and that no district canvassers can act without having taken the oath of office, either before the clerk of the board of supervisors, before election day, or before another member of the board of supervisors on said day.

Question. Does it state anything in regard to the law about the personal appearance of citizens before the board of registry?

Answer. I don't know whether it is contained in this same pamphlet, but another one was published containing the registry law, both of which I will put in evidence.

Question. Can you state what is the law about selling liquor on the day of election?

Answer. It is not to be sold within a quarter of a mile of the place where the polls are held.

Question. Have you seen a report of the chief engineer of the fire department?

Answer. I have it here.

Question. Does it contain the names of the members of the different companies belonging to the department?

Answer. It purports so to do, as it is entitled "The Annual Report of the Chief Engineer of the Fire Department, transmitting the names, occupations, numbers, and residences of the fire department."

Question. When was this report made?

Answer. The report is dated August 1, and is presented to the board of aldermen August 22, 1864.

Question. Has it a list of the members of engine company No. 12?

Answer. Yes.

Question. Where is that engine-house?

Answer. 112 East Thirty-third street.

Question. Can you tell me how many persons voted from that engine-house on the 8th of November last?

Answer. Thirty-seven voted from that engine-house at the polling place of the district in which it is situated.

Question. Do you know whether any voted from there who were not members of that company?

Answer. Yes; some fourteen.

Question. Can you tell me their names?

Answer. John Gallagher, Thomas Cooley, Dennis Leary, T. Quinn, Peter Egan, John Kelley, W. Ford, Patrick Henry, W. H. Wallace, John H. Jeffers, Thomas Collins, David J. Daly, Edward Reynolds, Patrick Donnelly.

Question. Can you state whether this fact of more persons voting from that district than were returned as members of the district to the board of aldermen was one of the strong arguments urged by the committee who went to Albany to procure the abolition of the volunteer fire department?

Answer. My attention was first called to it by Police Commissioner Acton, who said that he had discovered that these engine-houses were made the means of polling a number of illegal votes, and called my attention to this particular engine-house, and stated what would be the result of an investigation, and that he had used it in his late mission to Albany for the purpose of urging the paid fire department.

Question. Are you acquainted with Colonel Foster?

Answer. I have met him two or three times.

Question. Can you state where he is now?

Answer. He is now engaged in holding a court-martial in Philadelphia; he is judge advocate. He was employed in investigating the North frauds in relation to the election, and has been since employed in various investigations, so that it would be impossible for me to procure his attendance.

Question. Was he one of the witnesses noticed?

Answer. I think his name has been noticed; he has been in town several times.

Question. Can you state what was the result of this investigation?

Answer. I heard by letter from him that there was deposited by one citizen in this district, who was brought before him, some forty or fifty votes, he didn't at the time remember which—soldiers' votes, which the party knew nothing about with reference to their authenticity; he didn't know where they came from, or where he got them, except that they were left at his house to vote at this congressional district, which he did do at various polling places; and I have heard since that he informed others that one Baker, who was examined by him, a resident of the district—I believe they called him Charlie Baker—distributed in the same way a large number of soldiers' votes that came to him in the same fashion. I would also state that my personal acquaintance with Colonel Foster commenced accidentally before the intention was conceived of contesting Mr. Brooks's seat. He came into the office of Phelps, Dodge & Co., where I happened to be at the time, and stated that he had just got through with some investigations connected with Colonel North's alleged frauds, and that he had strong proof that, in this eighth congressional district, means had been used in the shape of soldiers' votes, fraudulently contrived, to secure the election of Mr. Brooks, and that he advised by all means that a contest should be made, and it would be discovered to be the fact. He, at the same time, showed me letters which he had obtained in the course of his (North's) discoveries by subpœnas and by the force of the military arm, among which were received, from gentlemen whose names are familiar to me as prominent democratic politicians of the State, addresses to other democrats of this State, urging that particular attention should be paid to this congressional district; and one, I

think, addressed to Colonel North, saying that any and every means must be taken to secure the return of Mr. Brooks; that it was of more importance that the soldiers' votes should be got there than anywhere else, as Mr. Brooks was a good man for their cause.

Question. Do you know anything of the fifteenth district of the Eighteenth ward?

Answer. I stated that it was separated from the old Twelfth.

Question. Can you tell me where the place of registry was held in this new fifteenth district?

Answer. It appears in evidence that it was held at the shop of one Thompson, at the corner of a street and avenue; I don't remember either the street or avenue.

Question. Can you tell me where the place for holding the polls was on the day of election?

Answer. I understand that they were held at a stable in this street, at the corner of which was this shop of Mr. Thompson's.

Question. Where should the election have been held according to election law?

Answer. I think the statutory requirement is, that the place where the board of registry sits should be the same as the place for holding the polls is; but inasmuch as the place of holding the polls was not designated until the 7th of November, it was scarcely possible that the board of registers should know where they ought to sit.

Question. Can you tell me in what papers it is customary to advertise the places for holding the polls?

Answer. "The Daily Transcript," of this city, is a legal paper, receiving such official advertisements; but I understood from Mr. Valentine that sometimes they are published also in the "Tribune."

Question. Were they advertised in those papers this past year for this election?

Answer. Yes, sir. They were published in the "Tribune" and in the "Transcript;" but, until the 7th of November, the day before election, wherever the polling place of the fifteenth district was referred to in its order, it was stated that the place was not designated. It was first designated by official publication on the 7th of November in the "Transcript" and "Tribune."

Question. Have you looked over the files of those papers?

Answer. I have from the 3d of November until the 8th. They could not have been published before that, because before that it was not fixed.

Question. How is the place for registry of the fifteenth district designated?

Answer. The official publication which was made during the first session of the board of registry says, for the fifteenth district in the Eighteenth ward, "place not designated."

Question. Can you tell me what means the citizens of the district had of knowing properly where they were to go either to register their votes, or to vote?

Answer. I should judge that they had no information as to the place of registry; as to the place of voting, they had information the day previous to the election, if they took the "Transcript" and "Tribune."

Question. Do you know a man by the name of Lederer, who lives 489 or 553 Second avenue?

Answer. Mr. Lederer was called here in order, but his name having been spelt in the notice given as Ledre, his testimony could not be taken; so to avoid all trouble I questioned him without the oath being administered in the presence of the court and opposite counsels, and he told me that he lived at 489 and 553 Second avenue, there being two sets of numbers. I asked him, as I usually did other alleged voters, where he lived, for whom he voted, and where he voted. He told me that he voted in the third district of the Twenty-first ward, and

that he voted for William E. Dodge; and I asked him further, how he knew he had voted for Mr. Dodge, and he said he picked it out and voted it—meaning by "it," the ticket.

Adjourned to Tuesday, March 28, at 7 o'clock p. m.

TUESDAY, *March* 28, 1865.

Robert Nevins sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 581 Second avenue.
Question. Where did you vote?
Answer. I voted on the corner of Thirty-first street and Second avenue.
Question. Did you vote on the 8th of November last?
Answer. I did, sir.
Question. Did you vote for member of Congress?
Answer. I did, sir.
Question. For whom did you vote for member of Congress?
Answer. I voted for Mr. Dodge, to the best of my knowledge and belief.
Question. Did you vote the whole republican ticket?
Answer. No, sir.

Mr. ANTHON:

Question. You say you voted for Mr. Dodge to the best of your knowledge and belief; what did you mean by that?

Answer. I mean to say that I secured the ticket for Mr. Dodge and polled it at the ballot-box.

Question. But you didn't look at your ticket?

Answer. I did, sir; took them home and read them.

Question. Did you read your ticket before voting?

Answer. It's generally my custom.

Question. Did you do it in this case?

Answer. I did, sir.

Question. Why did you say you voted for Mr. Dodge to the best of your knowledge and belief?

Answer. The tickets might have got changed; they might have got mixed. I always get tickets of all kinds and pick my man.

Question. You had congressional tickets of all kinds?

Answer. I had congressional tickets of all the men that were up.

Question. And those, you say, might have been accidentally changed without your knowledge?

Answer. They might have been, but I think not. I overlooked the tickets twice.

Question. How long have you been a resident of this district?

Answer. I have been a resident of this district nine years; in fact, I never voted in another district.

Question. Did you make any bet on the election?

Answer. No, sir; I never bet.

Question. What's your business?

Answer. My business is a machinist.

Question. Do you own the house you live in?

Answer. No, sir.

Question. From whom do you hire?

Answer. From J. H. Demire.

Mr. PHELPS:

Question. Have you any reason for supposing that your ticket was changed?
Answer. As I said, I might have misplaced the tickets in taking them from the house; but I always overlook my tickets twice or three times, and the best of my belief is that I voted the ticket for Congress, Mr. Dodge.
Question Do you know of any one in your vicinity that voted for Mr. Dodge?
Answer. None, I guess, but what you have seen.

Mr. ANTHON:

Question. Who brought you here to-night?
Answer. I came myself.
Question. At whose request?
Answer. I was notified to appear by a gentleman.
Question. Who was the gentleman?
Answer. Mr Taylor, I believe.
Question. Warren S. Taylor?
Answer. That's the man, (pointing to Mr. Warren S. Taylor.)
Question. How long had you known Mr. Taylor?
Answer. I don't know the gentleman at all.

ROBERT NEVINS.

Attest: JNO. R. BRADY, *J. C. P.*

Julius Lassen sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 488½ Second avenue.
Question. Did you live there on the 8th of November last?
Answer. Yes, sir.
Question Did you vote on that day?
Answer Yes
Question. Where did you vote?
Answer On the corner of Thirty-first street and Second avenue.
Question Did you vote for member of Congress?
Answer. Yes, sir.
Question. For whom?
Answer. Mr. Dodge.

Mr. ANTHON:

Question Did you read your ticket before voting?
Answer. Yes, sir.
Question. Do you remember seeing Mr. Dodge's name on the ticket you voted?
Answer. Yes, sir.
Question. Where did you read your ticket—where did you examine it?
Answer At home.
Question. How long before you voted?
Answer. I read them in the evening and in the morning. I procured my ticket at the republican headquarters, in Third avenue.
Question. The morning of election, do you mean?
Answer. Yes, sir.
Question. Did that ticket leave your possession before you voted?
Answer. No, sir.
Question. How long have you resided in that place?
Answer. Since April last.

Question. Where did you live previous to that?
Answer. I lived in Sixteenth street.
Question. How long had you lived in the city of New York previous to the last election?
Answer. Something over a year; I couldn't state exactly.
Question. Before the 8th of November?
Answer. Yes, sir. I lived on Long Island before that.
Question. How much longer than a year?
Answer. I moved in some time in October, in the beginning of October; I can't state the date.
Question. Are you a native-born citizen of the United States?
Answer. No, sir,
Question. A native of Germany?
Answer. Denmark.
Question. When were you naturalized?
Answer. I couldn't tell you exactly.
Question. About how many years ago?
Answer. Some twenty-five or twenty-six years ago.
Question. Had you made any bets on the election?
Answer. No, sir.
Question. At whose request did you come here to-night?
Answer. A gentleman, I don't know his name.
Question. Will you be kind enough to look around and see if you see him here?
Answer. Here is the gentleman, (pointing to Mr. Warren S. Taylor.)
Question. Is there any other number to your house?
Answer. This is the old number; the new number I don't know exactly; 550, I believe; but I can't say.
Question. This was the number you were in at the time you voted?
Answer. Yes, sir.

JULIUS LASSEN.

Attest: JNO. R. BRADY, *J. C. P.*

Stephen Geoghan sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?
Answer. 724 Second avenue.
Question. In what district?
Answer. Seventh district.
Question. Of what ward?
Answer. Twenty-first ward.
Question. Have you lived in that district long?
Answer. About four years.
Question. Are you well acquainted with the residents of that district?
Answer. I am pretty well acquainted with them.
Question. Do you know a Francis Armstrong, who lived at 724 Second avenue on the 8th of November last?
Answer. No, sir; he don't live there. He used to live there, but he's left.
Question. How long ago did he live there.
Answer. About a year and a half ago.
Question. Do you know when he left where he went to?
Answer. I guess he went down to Thirty-fourth street some place.

Question. Do you know if George Butler on that day lived at 735 Second avenue?

Answer. No, sir; I don't know any such man there.

Question. Did Thomas Ashburt live at 531 Third avenue?

Answer. Not as I know; I don't know any such man. I believe he's in the Nineteenth ward, to the best of my knowledge.

Question. Did a man by the name of Otto Areno ever live at 231 Thirty-eighth street?

Answer. Not as I know of; I never knew such a man as that.

Question. Did James B. Barlow live at 577 Third avenue?

Answer. Yes; he lived there at the time of the election. I don't know whether he's a legal voter or not. I guess he ain't.

Question. What makes you think he is not a legal voter?

Answer. I know he's not.

Question. Where was he born?

Answer. England.

Question. Do you know how long he has been in this country?

Answer. I guess two years and a half—he told me.

Question. In whose house did he live?

Answer. In my house.

Question. And you feel positive that he is not a legal voter?

Answer. I know he's not.

Question. In 722 Second avenue did Thomas Butler live on the 8th of November?

Answer. No, sir.

Question. Are you sure of that?

Answer. Certain of it.

Question. Who lives there?

Answer. There's a good many; I know everybody lives there. They are the next door to me, and I ought to know.

Question. In 744 Second avenue did Michael Budwell live?

Answer. Not as I know. I never knew any such man of that name.

Question. In Thirty-eighth street and Second avenue did Colin Baldwin live?

Answer. There's no house at all in that place.

Question. In 447 Third avenue did Hugh Burney live?

Answer. I guess that's out of the district; I don't know any person of that name in it.

Question. In Thirty-ninth street, First and Second avenues, did Charles Bailan live?

Answer. No, sir; there's no Bailan lives there.

Question. In Fortieth street, First and Second avenues, did William Bulkley live?

Answer. There's a Bulkley lives there; I guess he's on the other side of the street.

Question. The wrong side of the street to vote in the Seventh district, you think?

Answer. I think so.

Question. In 742 Second avenue did Miles Burke live?

Answer. He used to live there, but he doesn't live there this year and a half back.

Question. In Fortieth street, First and Second avenues, do you know a Frank Bradley?

Answer. Yes; I know a Frank Bradley there.

Question. Is he a legal voter?

Answer. No; he is not a legal voter if he lives there. He used to vote out of there; he lives at Hunter's Point.

Question. In 724 Second avenue does Pat. Carroll live?
Answer. No, sir.
Question. Is that your house?
Answer. Yes, sir.
Question. If he lived there would you be pretty sure to know it?
Answer. Yes, sir; I would.
Question. In 729, pretty near your house, does Pat. Callahan live?
Answer. He may live there; I don't know of any such person ever living there.
Question. In 724, (that is your house, I believe) does John Coughlin live?
Answer. No, he don't live there.
Question. Did he ever live there?
Answer. Yes; he used to live there.
Question. How long ago did he move from there?
Answer. About a year and a half ago. He used to attend bar for me.
Question. In 724 did Mr. Carr ever live?
Answer. No; never, as I know of.
Question. Who lives in 724 Second avenue?
Answer. I live in it. No such person ever lived there in four years—since I came there—of that name.
Question. Did Peter Clark ever live at Thirty-ninth street, First and Second avenues?
Answer. Yes; but he's dead about a year.
Question. Then it was impossible for him to have voted on the 8th of November last?
Answer. Without he had a substitute.
Question. William Carroll voted from your house?
Answer. He never lived there. He used to attend bar for me.
Question. How long ago since he lived there?
Answer. Two years ago.
Question. In Thirty-ninth street, First and Second avenues, does Lawrence Dougan live?
Answer. He's in the Nineteenth ward, too.
Question. Peter Doolan, Thirty-eighth street, First and Second avenues?
Answer. I guess he's in the Sixth district. He's on the other side of the street.
Question. Pat. Denley, Thirty-ninth street, First and Second avenues—do you know anything about him?
Answer. There's one living right forninst me on the corner; I don't know only the one Denley in the street; his number is 786 Second avenue. There's only the one in the district, I think.
Question. There is a Richard Geoghan voted from 135 Thirty-eighth street do you know anything about him?
Answer. There's no such man lives in the district.
Question. Pat. Garry voted from Thirty-ninth street, First and Second Avenues.
Answer. I don't know any such man there.
Question. John Gannon voted from Thirty-ninth street, First and Second avenues.
Answer. He's dead.
Question. How long ago did he die?
Answer. About a year and a half ago.
Question. Pat. Golden voted from 725 Second avenue.
Answer. I don't know him; I never knowed a Pat. Golden to vote at that number.
Question. Where is it—opposite you?

Answer. It must be on the other side of the way. No Pat. Golden lived there?

Question. James Geoghan voted from 726 Second avenue.

Answer. He lives in the Nineteenth ward.

Question. Is that the house next to yours?

Answer. Yes.

Question. Is he any relative of yours?

Answer. A first cousin of mine.

Question. John Denley voted from 744 Second avenue.

Answer. He's dead.

Question. Was he dead on the 8th of November?

Answer. Yes, sir.

Question. Pat. Golden voted again from 138 Thirty-ninth street.

Answer. He's dead.

Question. Mr. Hand voted from Thirty-ninth street, First and Second avenues.

Answer. I don't know any Hands there; they may live there, but I don't know them.

Question. James Haverkin, Thirty-ninth street, First and Second avenues.

Answer. In the Nineteenth ward he lives.

Question. Pat. Joyce, Thirty-ninth street, First and Second avenues.

Answer. I don't know where he lives now; he used to live there, but not in a long time.

Question. William Kelly, Fortieth street, First and Second avenues.

Answer. I don't know any such man of that name.

Question. Edmund Kerrigan, Thirty-eighth street, corner of Second avenue.

Answer. No such man ever lived there.

Question. John Kelly, 741 Second Avenue.

Answer. I never knew a John Kelly lived there; he may live there.

Question. Do you know many who had lived in that house?

Answer. Well, they change houses so often that you can't tell when they live there and when they don't.

Question. Isaac L. Rand voted from 174 Fortieth street.

Answer. I don't know whether he voted there at the election or not.

Question. Do you know where that place is?

Answer I do, sir. I know the house well; I don't know the man, though.

Question. Pat. Marvin voted from Thirty-ninth street, First and Second avenues.

Answer. No such man ever voted there, sir.

Question. Thomas Morgan voted from 722 Second avenue.

Answer. There's no Thomas Morgan in the street at all.

Question. William Miller voted from 722 Second avenue.

Answer. He don't live there.

Question. Cornelius McLaughlin, 191 East Thirty-ninth street.

Answer. He don't live there; never did, to my knowledge.

Question. Henry Mudge voted from Thirty-ninth street, First and Second avenues.

Answer. I know the man never voted there; if he did, he wasn't entitled to vote.

Question. Thomas Meeney voted from 744 Second avenue.

Answer. He ain't a voter.

Question. Cornelius McLaughlin voted again from 192 Thirty-ninth street.

Answer. He don't live there.

Question. Do you know who does live there, sir?

Answer. I do. Mr. Tracy, I guess, lived there; nobody occupied the house but him and his brother-in-law.

Question. Thomas Morley voted from Thirty-eighth street, First and Second avenues.

Answer. I don't know him.

Question. Thomas McBride voted from 722 Second avenue.

Answer. He don't live there.

Question. Thomas Murray, or Munay, voted from 127 Thirty-eighth street.

Answer. I don't know anybody there of that name. Tom Murray? Yes, there's a Tom Murray down there, I believe—a couple of Murrays. I don't know whether the name is Thomas.

Question. At 748 Second avenue, Christopher Nohouse.

Answer. I never heard at all of such a man before. I don't believe the man ever voted there.

Question. John M. Neal voted from 577 Third avenue.

Answer. That's wrong; he didn't live there.

Question. Thomas Taff?

Answer. He was in the front at the time of the election.

Question. In the army?

Answer. Yes. He voted, though—got a substitute. He's now home in a hospital up in Fiftieth street.

Question. W. G. Prior voted from 153 Fortieth street.

Answer. He might, but I don't know any man of the name.

Question. Frank Rader voted from 726 Second avenue.

Answer. I don't think there's anybody of that name in the house.

Question. James Rea voted from 721 Second avenue; did Rea ever live there?

Answer. I think that number is out of the district. There's no house down below me, only one. Nobody lives across the way at all—it is all a waste block. There's only one below—Reade's house. I believe there's only two families occupies the house—that is, Shaw and Reade.

Question. Pat. Rose voted from Thirty-ninth street, First and Second avenues.

Answer. He's dead; was dead on the eighth of November.

Question. Pat. Rasche voted from 576 Third avenue.

Answer. That's the other side from me. I don't know anybody of that name. It's out of the district. The even numbers are out of the district, and the odd numbers in.

Question. Phil. Ryder voted from Thirty-eighth street, First and Second avenues; did he ever live there?

Answer. There's a Ryder lives in Thirty-eighth street, but he's out of the district.

Question. George W. Smith voted from 569 Second avenue. Did he ever live there?

Answer. He may live there for all I know. I never knowed a man of that name.

Question. James Smith voted from 145 Thirty-eighth street; did he ever live there?

Answer. He has no residence there.

Question. James Tracy voted from Thirty-ninth street, First and Second avenues.

Answer. He don't vote there.

Question. Thomas Taff voted from 724 Second avenue; did he live there.

Answer. No, sir; he was in the front. That was the same name that you had before. There's only the one Taff in the ward. It's put down wrong.

Question. Pat. Wynne voted from Thirty-ninth street, First and Second avenues; did he ever live on the hill?

Answer. There's a Pat. Wynne lives in Second avenue. There's another one on the hill; I don't know whether his name is Pat. or not.

Question. James Witt voted from Thirty-ninth street, First and Second avenues.

Answer. There's no such man living there.

Question. William Ryder voted from 139 East Thirty-eighth street.

Answer. I don't know any such man.

Question. Pat. Haviland voted from the same number.

Answer. I don't know him.

Question. Dan. Broderick voted from the same number.

Answer. Broderick votes down there.

Question. Michael Roche voted there.

Answer. That's right; he had a right to vote.

Question. Matthew Clarke voted from the same house; did he live there?

Answer. I guess he did; I ain't sure.

Question. Did Andrew Rily live there?

Answer. Yes.

Question. Did Edmund Hughes live there?

Answer. No. Ed. Hughes, I think, don't live in the district. He's out of it.

Question. John Haley voted from 139 East Thirty-eighth street.

Answer. He's not there.

Question. From 145 Thirty-eighth street Thomas Dorsey voted; is that right?

Answer. I believe it is. He lives in the street somewhere.

Question. John Jennings voted from Thirty-ninth street, First and Second avenues.

Answer. He has no right to vote.

Question. If he lives there why has he no right to vote—is he a citizen?

Answer. No.

Question. Is he an Irishman?

Answer. Yes.

Question. James Smith, from 145 Thirty-eighth street; does he live there?

Answer. No.

Question. Thomas Powell voted from 145 Thirty-eighth street.

Answer. I don't know him.

Question. James Bailey voted from 145 Thirty-eighth street; do you know of his living there?

Answer. No.

Question. Do you think if he had lived there you would have known it?

Answer. I would. I know a great many in the street—almost everybody.

Question. Thomas Minton, 724 Second avenue?

Answer. He is not a citizen.

Question. Pat. Monoghan voted from Thirty-ninth street, First and Second avenues.

Answer. He's right.

Question. Were you at the polls of the seventh district on election day?

Answer. Pretty much all day I was there.

Question. Did you see many men vote there who had no right to vote?

Answer. Yes, sir; all I told you.

Question. How many men do you suppose you saw there that had no right to vote?

Answer. I can't tell. If you will read them out I will mention them to you.

Question. Did all these men vote?

Answer. Yes, pretty much all of them. They generally find substitutes when they haven't the principals there.

Question. Did you have charge of this district on election day?

Answer. I had no charge at all. There's a gentleman some person ought to go for that was taking an interest in that; I had no charge in the district.

Question. Do you know who these men who voted under these names voted for—whether they voted the republican or democratic ticket?

Answer. Well, there was none of them voted the republican ticket; you may bet your boots on that.

Question. Do you know in the contest for member of Congress which man they voted for?

Answer. It's pretty hard to tell; there was a kind of a split upon Mr. Brooks and Barr. Well, I suppose about half and half for one or the other.

Question. Do you know of any man who voted on these names which we have just gone through, who voted for Mr. Brooks?

Answer. I do, sir.

Question. How many were there?

Answer. Well, about—I guess there was in the neighborhood of thirty or so.

Question. How do you know that they voted for Mr. Brooks?

Answer. Because I gave them the tickets, a great many of them, myself.

Question. Do you think you gave Mr. Brooks's tickets to as many as thirty of these?

Answer. Yes, sir; I am certain.

Question. How did they happen to go for him?

Answer. They generally go with any man that takes an interest in the election.

Question. Are you sure these men whom you gave these tickets to voted them?

Answer. Yes, sir; I am certain they did. I was so kind to them as to walk right in with them with it in their hands.

Question. How did you get so good a knowledge of this district and the names that were on the registry?

Answer. I lived a long time there—keep store there and been implicated in the election every year.

Question. Do you keep more than one store?

Answer. I do, sir—two stores.

Question. Do you always take a great interest in the elections?

Answer. I do.

Question. Attend the polls all day?

Answer. I do. I wouldn't take time to eat my meals, for fear I would lose the voting.

Question. Did you have a list of these voters who were dead and who were away?

Answer. I know them to be dead; but we substitute a man to vote their names, and keep them on. We've got to do that, you know, to help a friend.

Question. This time did you render this efficient aid to Mr. Dodge, or Mr. Barr, or Mr. Brooks?

Answer. I done it for Mr. Brooks.

Question. And you feel pretty confident that you got these thirty votes for him, that you say voted Mr. Brooks's ticket?

Answer. Yes, sir; I am sure of it.

Question. Did you attend any other district polling place during the day?

Answer. No, sir; I never left it. I didn't scarce take time to go up to my dinner.

Mr. ANTHON:

Question. Did Mr. Dodge ever tell you that he was going to have you indicted?

Answer. No, sir; I never seen him only once before to-night.

Question. Don't you think that any decent man would have you indicted for what you said to-night?

Answer. No, sir; I don't.

Question. Do I understand you to say that you gave tickets to men to vote whom you knew were illegal voters in that district?

Answer. I did, sir.

Question. And that you took these men in and had them deposit their vote?

Answer. Yes, sir; I always do that.

Question. I understand you also to say that you gave tickets to men who were representing dead voters?

Answer. Yes, sir.

Question. And that you induced them to deposit those votes?

Answer. Yes, sir; I done so, and always does that.

Question. And you knew in doing that, and you know now, you were guilty of a felony?

Answer. Generally we takes that as a risk.

Question. Didn't you know that it was so?

Answer. I suppose we are.

Question. Don't you know that no decent man would believe you when you did that?

Answer. Yes, they will.

Question. Do you think so or not?

Answer. It makes no difference to me whether they do or not.

Question. Do you think that any decent man or any gentleman would believe a word you say?

Answer. I don't care whether they would or not.

(Question repeated.)

Answer. I think they would, sir.

Question. Has Mr. Dodge expressed any disapproval of your conduct on that occasion?

Answer. Not a word; I never spoke a word to him in my life about it.

Question. Who have you spoken to about it?

Answer. I do this of my own free will.

Question. When did you speak to Mr. Dodge about this matter?

Answer. Last night.

Question. Did he express any disapproval?

Answer. Not a bit.

Question. Did he say you had been guilty of a crime against the laws of your country?

Answer. No.

Question. Did he express himself in any way as disapproving of your conduct in this matter?

Answer. Not a bit.

Question. How many times have you been arrested?

Answer. About four or five times in my life.

Question. Not more than that?

Answer. That's all.

Question. Are you under bonds in any criminal matter at present?

Answer. No, sir. I was arrested once in my life.

Question. Haven't you been arrested more than that?

Answer. No.

Question. When was that?

Answer. Two years ago.

Question. What for.

Answer. Fighting.

Question. What disposition was made of that?

Answer. I was put under bail, and the case was dismissed.
Question. Where were you tried?
Answer. In the court of special sessions.
Question. By whom?
Answer. Before Judge Kelly.
Question. When were you tried?
Answer. I can't tell the trial now.
Question. Give me the date, if you please?
Answer. I can't.
Question. As near as you can?
Answer. Some time in the middle of next summer two or three years ago; I forget which.
Question. Give me the year as near as you can?
Answer. About 1863, I think.
Question. Who was the complainant in that case?
Answer. A man by the name of Mahom.
Question. You say you were discharged on that?
Answer. Yes, sir.
Question. Were you convicted and discharged after you were convicted?
Answer. No.
Question. And you have never been arrested except that once?
Answer. Never.
Question. Do you mean to swear that positively?
Answer. Yes, sir.
Question. You've never been arrested but once?
Answer. Oh, yes; but never for no crime.
Question. How many times have you been arrested?
Answer. Well, about, I guess, three times in my life; but then never kept in, only the one time—just appeared, that's all.
Question. What's your business?
Answer. A liquor dealer.
Question. Keep two liquor stores?
Answer. Yes, sir.
Question. How long have you lived in the Twenty-first ward?
Answer. I suppose about thirteen years since I first went to live in it.
Question. How long is it since it has been your business to keep those two liquor stores?
Answer. Eleven years.
Question. Have you had no other business in that time?
Answer. No, sir.
Question. What was your business before that?
Answer. A laboring man.
Question. At what did you labor?
Answer. I used to peddle sometimes.
Question. At what did you labor?
Answer. Well, I worked for Holton, down town—88 Washington street.
Question. How long ago was it that you worked for him?
Answer. About eleven years ago.
Question. At what did you work?
Answer. Porter in a store.
Question. For how long?
Answer. Two years, I think.
Question. What sort of a store was it?
Answer. An iron store.
Question. Whereabouts was the place?
Answer. Between Rector and Morris streets.

Question. What number?
Answer. 88, I think it is.
Question. Who else did you work for?
Answer. Robert Jackson, stevedore; I was foreman for him five years.
Question. How long ago?
Answer. About eleven years ago; from '49 to '58, I guess.
Question. Were you ever arrested at the complaint of John Mahon?
Answer. Yes.
Question. What was that for?
Answer. For shooting.
Question. Were you ever arrested at the complaint of a man named Jagger?
Answer. I was, but I wasn't retained.
Question. What was the charge against you?
Answer. Assault and battery.
Question. Did you count this in the arrests that you mentioned.
Answer. No, sir; I don't call it an arrest when a man appears merely and is discharged.
Question. How many other criminal complaints have you had made against you?
Answer. None, that I know of.
Question. Try to think and see if you can remember?
Answer. No, not as I know of. You may think of it yourself.
Question. Who else did you work for besides these two persons that you have mentioned?
Answer. Well, no other persons in New York.
Question. Whom have you worked for anywhere else?
Answer. The first place I worked in America was in the south.
Question. Whereabouts?
Answer. New Orleans, Georgia, Charleston, Savannah, and all over the south.
Question. What did you work at there?
Answer. I peddled some of the time; more I worked at cotton stores, plantations, &c.
Question. How long ago was it that you peddled there?
Answer. About '51 or '52 and '54.
Question. How many times were you arrested down there?
Answer. Ne'er a time, that I remember.
Question. Don't you think you could remember if you thought about it?
Answer. No, sir.
Question. No complaint ever made against you down there?
Answer. No, sir.
Question. How many fights do you suppose you have been in in the course of your life?
Answer. A great many. In the course of the election I'm the whole time fighting generally; I fight with my nails election day.
Question. What other employment have you been at in the course of your life?
Answer. I couldn't tell you half of them; I have been in so many.
Question. What other reputable ones have you been in?
Answer. None, but the business I am in now.
Question. Have you ever been in the Croton Aqueduct department?
Answer. Yes.
Question. Why didn't you mention that before?
Answer. There's many things I can't bring to my memory.
Question. How long were you there?
Answer. About two years, or three.

Question. What were you turned out for?

Answer. I wasn't turned out; they jobbed the office like all other political jobs in the country; it didn't pay me to stay there.

Question. Are you sure you left that of your own accord?

Answer. Yes, certain of it.

Question. If we prove that you were turned out you will think there is a mistake in the records of the department?

Answer. There's no mistake at all; you can't prove it.

Question. How many times did you vote at the election?

Answer. Only once; I was too well known.

Question. How many persons did you induce to vote illegally?

Answer. I guess in the neighborhood of twenty or thirty.

Question. How many do you generally induce to vote illegally?

Answer. All that ever I can get. I couldn't give you any regular statement, for everybody I can get to vote I make them vote. It's a business I practice.

Question. As a general thing, at elections, how many do you put in?

Answer. I don't keep any memorandum of it.

Question. Where was it that you saw Mr. Dodge?

Answer. In his own house, the first time that I saw him; I went there to call on him.

Question. How long were you there?

Answer. About five minutes.

Question. Where did Mr. Dodge receive you?

Answer. In his own house; in his parlor.

Question. What passed between you and him on that occasion?

Answer. Nothing, only he asked me if I wouldn't go down and testify to the best of my knowledge what I knew about the district.

Question. That was the whole of the conversation?

Answer. That was the whole of the conversation. I told him I would do so with pleasure.

Question. Where did you see Mr. Phelps?

Answer. I saw him down in Wall street, in his office.

Question. You didn't go to his house?

Answer. No, sir, I went to his office to tell him that I knew a little about the district.

Question. When did you go there?

Answer. Some day last week; I don't know the exact day. I went there some day through the week myself, without his or any man ever sending for me.

Question. Have you ever been to Mr. Brooks's house?

Answer. No, sir.

Question. Have you never seen Mr. Dodge in any other place except in his own house?

Answer. In no other place, sir.

Question. Have you never seen him down here?

Answer. I have never known Mr. Dodge before I knowed him that night.

Question. Now that you do know him, have you never seen him down here?

Answer. I never saw him until I did the other night.

Question. Until last night?

Answer. Yes. I saw him the other day, and I was told it was him.

Question. Where did you see him?

Answer. Down here.

Question. In what part of this building?

Answer. Right here in this house—outside there.

Question. Anywhere else in this building—were you up stairs in this building?

Answer. I was, sir. I did not know Mr. Dodge was there until he came down and shook hands with me at the door.

Question. What is that building up stairs, do you know?

Answer. It's a school-house or something.

Question. What does it look like to you?

Answer. I don't know. It looks like a school-house.

Question. Does it look like anything you have ever been in before?

Answer. No. I have never been in any place like that before.

Question. Did you ever see any inscriptions on walls at all resembling those up stairs?

Answer. No; the seat I sat down on was all I looked at.

Question. You didn't notice any inscriptions on the wall that were strange to you?

Answer. No, sir.

Question. Did you go into the large or the small room?

Answer. I don't know; I only went in and came down again.

Question. What did you go there for?

Answer. I went in to see a man I was acquainted with, and a friend of mine told me this was Mr. Dodge.

Question. Who else was up there with you?

Answer. I don't know the parties that were up stairs.

Question. Don't you know anybody but Mr. Dodge that was up there?

Answer. Ne'er a one. There was another man up there; I don't know who he was.

Question. Have you seen him down here?

Answer. Yes, sir.

Question. Is he in the room now?

Answer. No; I don't see him down here now.

Question. It was some one that you did not know?

Answer. I didn't know the man that I saw; no, sir.

Question. Who did you vote for at the last election?

Answer. For Mr. Brooks.

Question. Who else?

Answer. Orlando Stewart and Stephen Pinckney.

Question. Was Stewart a democrat?

Answer. No, sir.

Question. What was he?

Answer. A republican.

Question. And you worked for Mr. Pinckney also?

Answer. Yes, sir.

Question. What are his politics?

Answer. A democrat, I believe.

Question. For what office was Mr. Stewart candidate?

Answer. City judge, I believe.

Question. And Mr. Pinckney?

Answer. Assembly.

Question. Who did you work for on the presidential?

Answer. I voted for McClellan.

Question. Who did you work for for governor?

Answer. Seymour.

Question. Who did you work for for sheriff?

Answer. John Kelley.

Question. And for county clerk?

Answer. Connors.

Question. You don't always work for democrats?

Answer. No; I mix them always.

Question. Who do you vote for?
Answer. Any friend that runs for an office, if I think he's a friend of mine.
Question. Was Orlando Stewart a friend of yours?
Answer. Yes, sir.
Question. How did you become acquainted with him?
Answer. He did me some favors when he was in office.
Question. How did he do you favors?
Answer. Well, in many cases.
Question. Just explain what they were?
Answer. I don't think there's any occasion in my explaining; I tell you he's a friend of mine, and I voted for him because he was so.
Question. What favors did he do for you?
Answer. A great many.
Question. Of what kind?
Answer. If I wanted anything in the political line—getting a man in the police, or anything of that kind—that's all.
Question. Did you become acquainted with him when he was assistant district attorney?
Answer. Yes, sir.
Question. Were not the favors he granted you and your friends connected with the prosecution of criminals?
Answer. Not one, sir.
Question. You are certain of that?
Answer. Yes, sir.
Question. How did you happen to become acquainted with him?
Answer. Friends of mine.
Question. Who were they?
Answer. Bill Powers was one.
Question. What is his business?
Answer. A liquor dealer.
Question. Who else?
Answer. That's all; he was the only one.
Question. When were you introduced to Mr. Stewart?
Answer. Two or three years ago.
Question. For what purpose were you introduced to him?
Answer. I met him in the park; I happened to be with Mr. Powers, and he met Stewart and introduced me to him; this time I believe he was a candidate for office.
Question. For what office was he a candidate, except for city judge?
Answer. Ne'er a one as I know of.
Question. When was he candidate for city judge?
Answer. Last year.
Question. What did you mean by saying that when you were introduced to him he was a candidate for office?
Answer. When Powers and I met him he was a candidate for city judge; and I knew the man at the time.
Question. Why did you say you were introduced to him more than two years ago?
Answer. I knew him over three years ago; I didn't tell you Powers introduced me to him three years ago.
Question. How many times have you been introduced to him?
Answer. Only once.
Question. Who introduced you?
Answer. Powers.
Question. When did Powers introduce you?
Answer. A little before the election; I can't tell the exact time.

Question. A little before what election?

Answer. Last election.

Question. Then you haven't known him two years?

Answer. I have known him a good while before that; got favors before that, besides.

Question. Why did you get introduced to him by Powers if you knew him before?

Answer. Probably the man wasn't acquainted with me enough to think that I was a friend of his.

Question. When did you have your first conversation with him?

Answer. I can't tell.

Question. How many conversations in all have you had with him?

Answer. I can't tell.

Question. Have you had as many with him as you have had with Mr. Dodge?

Answer. I had more, sir.

Question. Did you just now say you would get sleepy if I kept you here? [Alluding to a side remark by the witness.]

Answer. I think you ask me very foolish questions, as a lawyer—asking me about Mr. Stewart and his political arrangements; that's outside of this arrangement altogether.

(Question repeated.)

Answer. Yes; I said that. Still there's no danger of me falling asleep.

Question. How much work did you do for Mr. Stewart in that election?

Answer. I done all that was required. I done all I could.

Question. Did you poll any illegal votes for him?

Answer. I did, sir.

Question. How many?

Answer. All that I could.

Question. Did you take any more interest in his election than you had in the others?

Answer. Not more than I did in Mr. Brooks's. I took the same in both.

Question. What was your particular interest in the election for city judge?

Answer. I thought he would be a better friend of mine than the other man.

Question. Can you tell me, generally, what the duties of the city judge are?

Answer. I can't, say.

Question. He is judge of the court of sessions, isn't he?

Answer. Yes, sir.

Question. One of the two chief criminal judges of the county?

Answer. Yes, sir.

Question. Do you know Francis Armstrong?

Answer. I do, sir.

Question. Who voted for Francis Armstrong, according to your story?

Answer. I forget the man's name that voted. I know he didn't vote in the district.

Question. Did you take up the man that voted for him?

Answer. No, sir.

Question. Did you give him his ticket?

Answer. I don't know as I did.

Question. You can't remember at all who voted for him?

Answer. I can't remember who voted for him.

Question. Where is he now?

Answer. I don't know where he is. I believe he lives in Thirty-fourth street.

Question. What is his business?

Answer. I don't know.

Question. How long have you known him?

Answer. About seven or eight years.
Question. Did he live in 724 Second avenue?
Answer. He did.
Question. What was his business at that time?
Answer. I don't know; he didn't work at much.
Question. Do you know where he now lives?
Answer. I can't tell; he lives in the ward above, some place.
Question. You don't know where?
Answer. No.
Question. Do you know George Butler?
Answer. No, sir.
Question. Do you know any man whose name resembles that?
Answer. No, sir. I knew a George Butler, but he didn't live in the district; he voted there.
Question. Did you take him up to vote?
Answer. I did.
Question. You knew at the time that he was not a legal voter there?
Answer. I did.
Question. Where did you find him?
Answer. Across town.
Question. Did you go for him?
Answer. He came from across town.
Question. Where did you find him?
Answer. On the corner.
Question. Whereabouts does he now live?
Answer. I don't know.
Question. Can't you give me any idea of what street or number he lives in?
Answer. I can't tell.
Question. What's his business?
Answer. I don't know.
Question. Do you know who he works for?
Answer. No.
Question. Can you tell me anything by which I may be able to find him and bring him here to contradict you?
Answer. No, sir.
Question. Was he drunk or sober when he voted?
Answer. Sober.
Question. Do you know this Thomas Ashburt?
Answer. No.
Question. Where did he vote out of?
Answer. 551 Third avenue.
Question. Do you know a man whose name resembles that?
Answer. No; I don't know the man at all. I don't think any man lives there of that name.
Question. Do you know that any man voted there under that name?
Answer. I don't know.
Question. Who does live at 551 Third avenue?
Answer. I don't know.
Question. What sort of a house is it?
Answer. It's a tenement house; I don't know who lives in it.
Question. Did you make any inquiries to ascertain who lived there?
Answer. I never did.
Question. You merely don't know any such man?
Answer. I don't know him.
Question. Do you know Otto Areno?
Answer. No, sir. There's no such man lives there, to my knowledge.

Question. Have you ever been to his place to inquire if any such man lives there?

Answer. No, sir. He may live there for all I know.

Question. For all you know he might have lived there at the time of the election? Did you make any inquiries about him?

Answer. No, sir.

Question. Do you know James B. Barlow?

Answer. I do, sir.

Question. Where does he live now?

Answer. He lives across town now, sir.

Question. Whereabouts.

Answer. I can't tell you.

Question. What is his business?

Answer. I believe he's a coachman.

Question. For whom?

Answer. I can't tell.

Question. Can you give me any information of his whereabouts?

Answer. No, sir; I can't.

Question. How long had you known him?

Answer. About three months or four before the election.

Question. Did you induce him to vote?

Answer. It was I gave him the tickets.

Question. Did you induce him to vote?

Answer. Yes, sir.

Question. Did he tell you that he wasn't a legal voter?

Answer. No.

Question. Did he tell you that he wasn't an American citizen?

Answer. I knowed he wasn't myself.

Question. How did you know it?

Answer. Because I knew it. I know the man wasn't long enough in the country to be voting.

Question. When did he come into the country?

Answer. I can't tell you.

Question. How did you know that he hadn't been long enough in the country?

Answer. I know he wasn't, sir; I am swearing he wasn't. You can get it in the recorder's office.

Question. What means of knowledge have you?

Answer. I know he's an alien; he never was a citizen of the country.

Question. Do you know when he came to this country?

Answer. No, sir.

Question. Then how do you know that he hasn't been here long enough to be a voter?

Answer. That might be, and still he might never be naturalized. I know he wasn't.

Question. How do you know it?

Answer. I am swearing he is no citizen.

Question. Do you think everything you swear to must necessarily be true?

Answer. Yes, sir.

Question. How many votes have you sworn in in the course of your life?

Answer. I never swore in any that wasn't legal.

Question. Was this man Barlow registered?

Answer. I registered him.

Question. Were you one of the registers?

Answer. No, sir; but I just told them that he was a friend of mine, and that he was a voter in the district.

Question. That was false, wasn't it?

Answer. Yes.
Question. You lied to them, then?
Answer. Of course.
Question. Did they want any affidavits with regard to that?
Answer. No, not a bit—no bother in the world.
Question. Who were the registers of that district?
Answer. John Farrell, I think, was one, and Taylor (I believe he's here) was the other.
Question. Warren S. Taylor?
Answer. This man with the bald head, (pointing to Mr. Warren S. Taylor.)
Question. Who was the other?
Answer. The other I forget, some little fellow.
Question. Is Mr. Taylor a democrat or a republican?
Answer. He's a republican; we used to have some fights, and he always fought for the republicans.
Question. Is Campbell a republican?
Answer. I believe he's a republican; I can't tell you.
Question. It was a republican register?
Answer. Yes, sir; there was two of them, and we had one democrat.
Question. Do you know who the inspectors of election were?
Answer. I know them, but I forget their names.
Question. Was it a republican appointment—the inspectors there?
Answer. Yes, two republicans and one democrat.
Question. Did any of them reside in the district?
Answer. Yes, one of them did—lives in Fortieth street; I forget his name.
Question. How long has he resided in the district?
Answer. I don't know.
Question. Any length of time?
Answer. I don't know.
Question. Do you know Thomas Butler?
Answer. Tom Butler? I do, sir.
Question. Did he ever reside at 722 Second avenue?
Answer. No, sir.
Question. Did he ever reside at 724?
Answer. No, sir.
Question. Did you take him up to vote?
Answer. I did, sir.
Question. Where did you find him?
Answer. I found him around the corner.
Question. What was he doing when you found him?
Answer. Walking around.
Question. Did you ask him to come and vote?
Answer. I did, sir; I gave him the tickets.
Question. Did you give him Mr. Stewart's tickets?
Answer. I did, sir.
Question. Where is Thomas Butler to be found now?
Answer. I don't know, sir.
Question. Did he reside in the district at that time?
Answer. No, sir.
Question. Where did he reside then?
Answer. I don't know, sir.
Question. How do you know that he didn't reside in the district at that time?
Answer. I know he didn't; he lived in Harlem.
Question. Where does he live now?
Answer. I don't know, sir.

Question. Can't you give me any information whereby I can find him?
Answer. No, sir; I haven't seen him since.
Question. Did you see him before that?
Answer. Once before that.
Question. You register his name?
Answer. Yes, sir; I brought him in and got his name put down as a citizen in the district.
Question. And you stated that he was a voter in the district?
Answer. I did, sir.
Question. And that statement was as false as the other one?
Answer. Yes, sir.
Question. Mr. Baldwin—do you know him?
Answer. No, sir.
Question. Have you ever seen any such man?
Answer. No, sir.
Question. Did you vote any ticket under the name of Baldwin?
Answer. No.
Question. Did you cause any ticket to be voted under that name?
Answer. No, sir.
Question. Have you any knowledge as to whether he does or does not reside in the district?
Answer. I don't know whether he does or not; I don't know the man.
Question. Do you know whether there's a man named Connell Baldwin in the district?
Answer. No, sir; I don't believe there's any such man.
Question. Have you any knowledge about it at all?
Answer. No, sir.
Question. Then he may be a legal voter in the district?
Answer. He may, but I don't know him.
Question. Do you know Hugh Birney, 447 Third avenue?
Answer. I don't know him, sir.
Question. For aught you know, he may be a legal voter in the district?
Answer. I don't know?
Question. Did you make any inquiries about him?
Answer. No, sir.
Question. Charles Baylin, Thirty-ninth street, between First and Second avenues—do you know whether there is such a man living there or not?
Answer. There's no such man living there.
Question. Have you made any inquiries about him?
Answer. No, sir; I know he voted in the district.
Question. That's a part of what's called Dutch hill, is it not?
Answer. Yes, sir.
Question. About how many live there?
Answer. I don't know.
Question. How many do you suppose?
Answer. Well, there's a hell of a lot.
Question. How many men do you suppose?
Answer. Sixty or seventy.
Question. Do you know mostly every man on the hill?
Answer. Yes, sir.
Question. Do you know the whole sixty or seventy?
Answer. Every man.
Question. William Buckley—do you know him?
Answer. I do, sir; he voted from Fortieth street, First and Second avenues, and I guess he's out of the district, on the other side of the street.
Question. Did he vote at your request?

Answer. No; I didn't see him voting.

Question. Did you not tell Mr. Phelps that you had seen every one of those men voting, and had given them their tickets?

Answer. No, sir, I didn't.

Question. Do you know whether he voted at all or not?

Answer. Well, if he didn't vote, somebody voted for him.

Question. How do you know that?

Answer. Because his name was voted for. We always find substitutes for them that's not there.

Question. How do you know that his name was voted?

Answer. Well, I know his name was on the list, and I think I can't tell whether me or Mr. Tracy brought a man in for him.

Question. How do you know that his name was on the list?

Answer. I think he voted; I know he did. I registered him, and I know we found a man to vote for him.

Question. You made the same false statement about him that you did about the others?

Answer. I did, sir.

Question. Miles Burke—do you know him?

Answer. I do, sir.

Question. Did you register his name?

Answer. I did, sir.

Question. Did he vote?

Answer. Yes, sir; I got a substitute for him too.

Question. Who was the substitute?

Answer. I can't tell you; but he voted whatever ticket I wanted him to vote. He lives in the Sixteenth ward.

Question. You have no recollection at all of who you got to vote for him?

Answer. No, sir; I know I found a man for him.

Question. And you induced this man to go and vote?

Answer. I did, sir.

Question. Were any votes challenged that day?

Answer. There was, sir.

Question. Were any of these illegal voters that you brought up challenged?

Answer. Yes, sir. I had a man there that was challenged, and I had a hard job to get him out too. We raised a little bit of a muss so that he could get out.

Question. Who raised that muss?

Answer. I did, sir.

Question. What was the disturbance that you raised?

Answer. I sent the man out to Mr. Tracy for an affidavit, and I kept fighting with the policeman while he was going for the affidavit.

Question. Can you give me the name of the policeman?

Answer. I couldn't.

Question. Where does Miles Burke live now?

Answer. I think in the Sixteenth ward.

Question. Whereabout?

Answer. I can't tell you.

Question. What is his business?

Answer. I believe he's a porter in a down-town store.

Question. In whose store?

Answer. I don't know, sir.

Question. You say that you registered his name?

Answer. Yes, sir; I did.

Question. Are you sure you had that name registered?

Answer. Yes, sir.

Question Wasn't that name taken from the last poll-list of the district?
Answer. No, sir; Miles Burke voted the last time.
Question. Are you sure it was not put on the registry from the last poll-list?
Answer. Yes; so it was, sir.
Question. Then you were saying what was false a moment ago, were you not?
Answer. I was register the year before that, and it was I put him down, and he's been voting ever since. I did it the year before that
Question. Did you have his name registered at this district or not?
Answer. I don't believe it was on the poll-list until I got it down.
Question. Are you sure it wasn't?
Answer. To the best of my opinion it wasn't.
Question. Do you mean to swear that it wasn't kept on the register from the last poll-list?
Answer. It may; I am not certain I know he voted and he didn't live in the district, and I got a man to vote for him. I can't testify to that—whether he was on or whether I had him put on.
Question. You don t know, then, whether you registered him, or the inspectors of registry did from the last poll-list?
Answer. I think I had him registered. I think there was a dispute about it, and I had his name put down that he lived in the district.
Question. Do you know Frank Bradley?
Answer. I do, sir.
Question. Where does he now live?
Answer. Hunter's Point.
Question. What is his business?
Answer. Sometimes he's a boatman, sometimes works in the navy yard, and sometimes goes to sea, and sometimes I don't know what he's at.
Question. Where is he now?
Answer. I can't tell you, sir.
Question. Where does he live at Hunter's Point?
Answer. I don't know.
Question. Who does he work for now?
Answer. I don't know.
Question. Do you know where he lived at that time?
Answer. He lived at Hunter's Point.
Question. Do you know where?
Answer. No.
Question. Did he vote at the election?
Answer. He did.
Question. Did you take him to vote?
Answer. Well, it wasn't I brought him to vote, but he voted the same ticket as I was going.
Question. Did you see him vote?
Answer. I did.
Question. Did you challenge his vote?
Answer. No, I didn't.
Question. Do you know Pat. Carroll?
Answer. I do, sir.
Question. Where does he live now?
Answer. Pennsylvania.
Question. What is his business?
Answer. He's a stonemason by trade.
Question. When did you last hear he was in Pennsylvania?
Answer. I had a letter from him not very long ago.
Question. Did he vote at the election?
Answer. He did.

Question. Was he then a resident of the district?
Answer. No.
Question. Where did he reside at the time he voted?
Answer. He came in from Pennsylvania to vote.
Question. Who asked him to vote?
Answer. I did.
Question. From your house?
Answer. Yes, sir.
Question. At whose request did he come from there to vote?
Answer. Mine.
Question. Why didn't you get a substitute for him?
Answer. Well, as long as he was interested for McClellan, I thought I would get him to vote for his friends. All these Irishmen generally come in to vote for their friends on election day.
Question. You sent for him from Pennsylvania?
Answer. He came himself.
Question. Did you pay his expenses?
Answer. No; I didn't.
Question. Where did he stay while he was here?
Answer. He stopped at a friend's house of his in the Eleventh ward.
Question. At whose house was he stopping?
Answer. I couldn't tell you: he was registered from my house.
Question. Can't you give me any information by which I could find that friend?
Answer. I can't.
Question. What's his business?
Answer. He's a stonemason.
Question. Where is his house—this friend at whose house Carroll was staying?
Answer. I don't know.
Question. Do you know Pat. Callahan?
Answer. I do not, sir.
Question. He might be, for all you know, a voter in the district?
Answer. Yes, sir.
Question. And may have been so at the time of the election?
Answer. Yes, sir; for all I know.
Question. You say there's a man named John Coughlin; do you know him?
Answer. I do, sir.
Question. Where did he live at the time of the election?
Answer. Down in Thirty-fourth street—some place there.
Question. Where does he live now?
Answer. I don't know the house he lives in; some place in the ward; I can't tell you the number.
Question. What's his business?
Answer. I can't tell you what his business is.
Question. Who is he employed by now?
Answer. I can't tell you.
Question. When did you see him last?
Answer. To-night.
Question. Whereabouts is he now?
Answer. I can't tell you.
Question. Where did you see him to-night?
Answer. At my house.
Question. Is he staying there now?
Answer. No.
Question. Where did you see him next before that?
Answer. I see him every other day.
Question. Has he ever been down here in this building?

Answer. Yes.
Question. Did you bring him down here?
Answer. No.
Question. Did you tell him to come down here?
Answer. I did.
Question. Did you never ask him where he lived?
Answer. I never asked him where he lived, although I am acquainted with him this good many years.
Question. Have you ever introduced this man Coughlin to Mr. Dodge or Mr. Phelps?
Answer. I have.
Question. When?
Answer. The other night.
Question. Where?
Answer. In this building?
Question. What part of this building.
Answer. At the door there.
Question. Did you take him up stairs?
Answer. No; they went up themselves.
Question. Did you tell them to go up stairs?
Answer. No.
Question. Who directed them to go up stairs?
Answer. I don't know.
Question. Did you go up with them?
Answer. Yes, sir.
Question. Wasn't Mr. Dodge up there when you went up?
Answer. No; he went up afterwards.
Question. Who went up with him?
Answer. Some other man; I don't know who he was.
Question. Did you induce this man to go and vote?
Answer. Yes, sir.
Question. Do you know Owen McLaughlin?
Answer. I do.
Question. Did he vote at the election?
Answer. You haven't his name down there as a voter, I believe.
Question. Did he vote at the election?
Answer. Yes; he voted in the district; not in his own name, I believe; he was a substitute.
Question. Who did he vote for?
Answer. I believe it was Patrick Ross.
Question. At whose request?
Answer. I believe Mr. Tracy gave him the tickets, and I took them out of his hands and gave him other ones.
Question. What tickets did Tracy give him?
Answer. I can't tell you, sir.
Question. What tickets did you give him?
Answer. I gave him Stewart's, Brooks's, and McClellan's.
Question. Was there no one with you besides Coughlin and McLaughlin when you went up stairs?
Answer. No, sir.
Question. Where does McLaughlin live?
Answer. Thirty-sixth street.
Question. What number?
Answer. I don't know.
Question. Whereabouts is it?

Answer. I can't tell you whereabouts the number is; he lives between the Second and Third avenues.

Question. How many houses are there between those avenues?

Answer. God knows; I can't tell you.

Question. How far is it over from the other avenue?

Answer. About middleways.

Question. Whose house is it?

Answer. I don't know.

Question. Can't you describe it in any way so that we can find it and get hold of McLaughlin?

Answer. I can't tell you.

Question. Did you introduce him to Mr. Dodge, too?

Answer. I did, sir.

Question. Did Mr. Dodge make any inquiries as to where those persons were to be found?

Answer. We were all introduced together; I never saw Mr. Dodge before that.

Question. Did he make any inquiries where they were to be found?

Answer. No, sir.

Question. Did he express any intention of prosecuting them for their illegal conduct?

Answer. Oh, no.

Question. Did he express any disapproval of their illegal conduct?

Answer. No, sir.

Question. Mr. Carr, 724 Second avenue; did any such man ever live there?

Answer. No, sir.

Question. Who registered the name of Mr. Carr?

Answer. I suppose I did; like the rest.

Question. You told the same lie in regard to him as you did with regard to the others?

Answer. Yes, sir; the very same.

Question. Who voted in the name of Mr. Carr?

Answer. I can't tell you; I found a substitute, I think, for him myself.

Question. Why didn't you vote more than once yourself?

Answer. I am too well known.

Question. That was all that prevented you?

Answer. Yes, sir.

Question. Did you know Peter Clark during his lifetime?

Answer. Yes, sir.

Question. When did he die?

Answer. I guess two years ago.

Question. Who registered his name at the last election?

Answer. He's always on the book; we never take them off.

Question. Who registered him at the last election?

Answer. I suppose the registers; there's one of them here—Mr. Taylor; and John Farrell.

Question. Do you remember who procured his name to be registered?

Answer. Oh, his name is on the book, sir; he's been voting since he died; I can't tell you whether it is me or Mr. Tracy done it; I can't tell you.

Question. Do you know William Carroll?

Answer. I do, sir.

Question. Did he ever reside in this district?

Answer. He did, sir.

Question. Where?

Answer. He lived in my house some time ago; he used to attend bar for me.

Question. Did you register his name?

Answer. Yes, sir.
Question. Where does he live now?
Answer. I believe he lives in Westchester county.
Question. Can you give us any direction to find him in Westchester county?
Answer. I can't sir.
Question. When did you last see him?
Answer. Last St. Patrick's day.
Question. Did you ask him then where he lived?
Answer. I didn't.
Question. How often do you generally see him?
Answer. About every month—or sometimes two weeks.
Question. Laurence Dougan, do you know such a man?
Answer. I do, sir.
Question. Where does he live?
Answer. He lives in the Nineteenth ward, I think.
Question. How long has he lived there?
Answer. I don't know as he always lived there or not; I know he didn't live in the Twenty-first ward at the last election.
Question. Where did he live then?
Answer. In Thirty-ninth or Fortieth street.
Question. Where is he now?
Answer. I think he worked with a man by the name of Ned Burns, in the Nineteenth ward.
Question. Do you know where he is now?
Answer. No, sir.
Question. How often do you see him?
Answer. Every other day.
Question. What is his business?
Answer. I believe he works for Vorhees, or otherwise Tracy, the contractor.
Question. Where does this Vorhees live?
Answer. I believe it's in First avenue.
Question. Where is Tracy's place?
Answer. I don't know.
Question. Are you sure he works for those men?
Answer. I think he does, for one of them; I ain't sure.
Question. Do you know Peter Doolan?
Answer. I do.
Question. Did he live in the district at the time of the election?
Answer. No, sir.
Question. Where did he live?
Answer. He lived on the other side of the street—in the sixth district.
Question. Who had his name registered in the district?
Answer. I guess it was me.
Question. Did he vote?
Answer. He did.
Question. Did you take him to vote?
Answer. I think I did; I am not sure. I know he voted; I can't tell you which of us—Tracy or me—took him to vote. Yes, I guess it was I took him to vote.
Question. Did you see him vote?
Answer. Yes.
Question. Was his vote changed by any one?
Answer. No, sir.
Question. Was his name registered?
Answer. It was.

Question. By whom?
Answer. I think it was me that got his name put down.
Question. Pat. Denley—do you know him?
Answer. Yes, sir.
Question. Where does he live?
Answer. 726 Second avenue.
Question. Is that in the district?
Answer. Yes, sir.
Question. Was he a legal voter at the time of the election?
Answer. Yes, sir.
Question. Richard Geoghan—where did he live at the time of the election?
Answer. I don't know, sir; I don't know any such man of that name ever to vote in the district.
Question. You don't know whether there is such a man in the district or not?
Answer. I know there is no such man has ever lived in the district.
Question. Do you know every man in the district?
Answer. I know pretty much all of them; I know he don't live here.
Question. May he not be one of the men that you don't know in the district?
Answer. He might, sir; but I think that name is too familiar to me that I would not know it; that is my own name.
Question. That's all the knowledge you have on the subject?
Answer. That's all, sir; it is the first I knowed of any such man voting there.
Question. Did you see any such man voting there?
Answer. I did not.
Question. Did you register any such name?
Answer. I did not.
Question. Do you know any man named Pat. Garry?
Answer. No, sir.
Question. Do you know any such man as Pat. Geary?
Answer. No, sir.
Question. Do you know any man in the district whose name resembles Pat. Garry or Geary?
Answer. What number does he vote from?
(Question repeated.)
Answer. I don't, sir.
Question. There may be such a one there and you not know him, may there not?
Answer. There may.
Question. Do you know John Gannon in the district?
Answer. I used to know him before he died; he lived in Thirty-ninth street.
Question. Who registered his name in the last election?
Answer. The registers, of course. He has voted every year since he died.
Question. Who voted in his name at the last election?
Answer. I can't tell you.
Question. Who got the person to vote who voted in his name?
Answer. I can't tell whether it's me or Mr. Tracy.
Question. Do you know Pat. Goldin?
Answer. There's no Pat. Goldin a voter in that district, ne'er a one. I know a Pat. Goldin that's dead; he voted from Thirty-ninth street, but he's dead.
Question. Who registered his name?
Answer. He's been always kept on the books; we never take them off.
Question. Who caused his name to be registered?
Answer. The registers.
Question. Did you cause his name to be registered?
Answer. I didn't, because it was there before.

Question. James Geoghan, 726 Third avenue?
Answer. He lives in the Nineteenth ward. He's a first cousin of mine.
Question. Did he vote at the last election?
Answer. No, sir; we had a substitute for him too.
Question. Who was the substitute?
Answer. I couldn't tell you, but we had a man voted for him any way.
Question. Try and recollect.
Answer. I couldn't.
Question. Give me the name of any person whom you used as a substitute at the last election.
Answer. I couldn't. It would be out of your power to keep all such names in your mind.
Question. How many substitutes did you cause to vote at the last election?
Answer. About thirty. It might be sixty for all I know.
Question. Can you give me the name of any one of them?
Answer. No; I can't give you the names of any that I gave tickets to, but I can of those that live in the district, because I know them.
Question. Did you know at the time that you were polling this vote that you were exposing your cousin to the danger of prosecution?
Answer. I didn't care. To get a vote for my friends was all I cared for.
Question. Did you know John Donnelly during his lifetime?
Answer. Yes; but he's dead.
Question. Who caused his name to be registered?
Answer. He was always on the list.
Question. Who voted in his name—who procured a vote to be cast in his name?
Answer. I think it was me.
Question. Do you know who you procured to vote in his name?
Answer. I don't know, sir; I couldn't think of the name.
Question. Do you know Pat. Goldin; or did you know him during his life?
Answer. I knowed him while he lived; he used to sharpen saws.
Question. Did you cause his name to be registered?
Answer. He has been voting ever since he died.
(Question repeated.)
Answer. No, sir; it was on the registry.
Question. Who voted in his place?
Answer. I can't tell you, sir.
Question. Who procured a substitute for him?
Answer. I think, to the best of my opinion, it was me procured a vote for him.
Question. Do you know any such person as Mr. Hahn?
Answer. No.
Question. Do you know any man whose name is Hand?
Answer. Yes, I believe I do.
Question. Is he a voter in that district?
Answer. I don't know; there's one Hand lived up there on the hill; I don't know his name.
Question. There is a man named Pat. Hand, who is a voter in that district, is there not?
Answer. I believe so.
Question. James Haverkin—do you know him?
Answer. He lived in the Nineteenth ward at the last election.
Question. Do you know any man named James Harrison in this district?
Answer. No, sir; he don't live in the district.
Question. May he not be one of the very few whom you don't know?
Answer. No, sir; I guess there ain't any such man as that.
Question. Do you know Pat. Joyce?

Answer. I used to know him when he lived in the ward.

Question. When did he move out of the ward?

Answer. I couldn't tell you.

Question. Is Pat. Joyce a very uncommon name?

Answer. No.

Question. Can't there be a voter of that name in the district now?

Answer. No, sir.

Question. Do you know the names of every man in the district who has a right to vote?

Answer. Pretty near all of them.

Question. How many voters are there in the district?

Answer. We polled four hundred in that election.

Question. How many legal voters are there in the district?

Answer. Well, there's a great many men that mightn't stop their work for voting.

Question. About how many?

Answer. Well, I couldn't tell you; there may be from three hundred to five; you can poll just as many as you have a mind to when you try.

Question. Did you know all those three or five hundred names?

Answer. I know a great many of them; I know pretty much the whole that's entitled to vote.

Question. The whole three or five hundred?

Answer. Yes, sir; that Joyce don't vote there I know; he used to.

Question. Did he vote at the last election?

Answer. We had a substitute for him.

Question. Who was the substitute?

Answer. I don't know now.

Question. Who procured the substitute?

Answer. I don't know whether it was me or Tracy.

Question. Who had his name registered?

Answer. He's on the book now, sir; we always keep him on the book.

Question. Did you have his name registered?

Answer. The registers had his name registered; I had nothing to do with it.

Question. Do you know William Kelly?

Answer. I don't, sir.

Question. Do you know whether there is a William Kelly who is a legal voter or not?

Answer. I don't know; there may be, but I never knew him to vote there.

Question. Do you know Edmund Kerrigan?

Answer. I don't know any such man as Edmund Kerrigan lives in the ward.

Question. May there be a man of that name living in the ward without your knowing it?

Answer. I don't think there is.

Question. Do you know a man named Edward Corrigan?

Answer. There's a Corrigan down in Thirty-eighth street, between First and Second avenues; I don't know whether his name is Edward or not.

Question. Do you know John Kelly?

Answer. No, sir.

Question. You don't know whether there is a John Kelly who is a voter in the district or not?

Answer. I do not.

Question. Isaac L. Lent, 174 Fortieth street.

Answer. I don't know whether he lives there or not.

Question. How about Pat. Murvin?

Answer. I don't know such a name as that; that must be a mistake in the s elling of that name; there is no such man there.

Question. May there be such a man for aught you know?
Answer. No, I don't think there is.
Question. Do you know Pat. Marnin?
Answer. No.
Question. Do you know a Patrick or Peter Meenin, Thirty-ninth street, between First and Second avenues?
Answer. I do.
Question. Is he a voter in the district?
Answer. He is.
Question. Do you know Thomas Morgan?
Answer. I don't know Thomas Morgan at all; there's no such man lives in the district. There's a Pat. Morgan.
Question. Where does he live?
Answer. Thirty-ninth street, First and Second avenues.
Question. Do you know any William Miller, 722 Second avenue?
Answer. No, sir; he don't live there.
Question. Whose place is that?
Answer. Next door to me.
Question. Do you know any William Miller in the ward or district?
Answer. That man registered out of that house, and he didn't live there; he was one of my own votes.
Question. Is there any such man?
Answer. No, sir.
Question. Who did you get to vote for him?
Answer. I got himself.
Question. Is there any such man as William Miller?
Answer. There is in the country, but he don't live in that district.
Question. Where does he live now?
Answer. I don't know; he lived across town then.
Question. Who does he work for, if he works for any one?
Answer. I don't know, sir.
Question. Do you know any Henry Mudge?
Answer. I did, sir.
Question. Where does he live?
Answer. Across town.
Question. Whereabouts?
Answer. I don't know.
Question. Who had his name registered?
Answer. I did, sir.
Question. Do you know where he lives now?
Answer. No.
Question. Who voted with that name?
Answer. Himself.
Question. How often did you see Henry Mudge?
Answer. Once since the election and a couple of times before it.
Question. Where?
Answer. In my own store.
Question. Have you ever seen him anywhere else?
Answer. No.
Question. Can you give me any information where to find him?
Answer. No, sir.
Question. Do you know Thomas Moody?
Answer. I do not, sir.
Question. Do you know whether there's any Thomas Moody in the district or not?
Answer. I don't know any such man of the name.

Question. There may be without your knowing it?
Answer. There might.
Question. Have you made any inquiries for him?
Answer. I have not.
Question. Have you made any inquiries for Thomas M rray?
Answer. No, sir; I made no inquiries at all.
Question. Do you know whether there is a Thomas Murray who votes in this district?
Answer. I don't know e'er a one in this district of the name.
Question. Have you made any inquiries at 744 Second avenue?
Answer. That used to be my old number, and no man ever lived in that house of that name that I know of.
Question. When were the numbers altered?
Answer. Before the election.
Question. What was the old number of 744 as a new number?
Answer. 744 is the old number; 724 is the new number.
Question. Where is 744, the new number?
Answer. I don't know.
Question. Have you been there?
Answer. No.
Question. Have you ever made any inquiries about Thomas Morley?
Answer. No; I don't know any such man. I know the Thomas Murray you mean; he voted from my house; he didn't vote from 744 Second avenue.
Question. Where does he live now?
Answer. Across town.
Question Whereabouts?
Answer. I can't tell.
Question. Do you know what his business is?
Answer. No, sir.
Question. Do you know where I can find him?
Answer. No.
Question. Do you know Thomas McBride, 722 Second avenue?
Answer. He don't live there, sir.
Question. Do you know any such man?
Answer. No.
Question. You don't know whether there is any such voting in the district?
Answer. I know there's not in that number; it is next door to me. I know everybody in the house since I came there.
Question. Do you know that there is no voter of that name in the district?
Answer. He may be in some other part of the district, but not there.
Question. Do you know any man named Charles Nohouse?
Answer. No, sir; I never knowed any such man of that name; I never heard at all of any such man before.
Question. Don't know whether there is any such man as that?
Answer. No, sir; that's the first I ever heard of it in my life.
Question. Did you cause any false vote to be deposited in his name?
Answer. No, sir.
Question. Do you know John M. O'Neil?
Answer. 577 Third avenue, is it?
(Question repeated.)
Answer. I don't know any John O'Neil.
Question. Do you know whether any one of that name voted at the last election?
Answer. I don't know. Tell me the number, and I might tell you whether he votes or not.

Question. Did you procure any John O'Neil to be registered at the last election?

Answer. No, sir.

Question. Did you take any person to vote by that name?

Answer. No, sir. I had a John O'Neil to vote from there that don't vote; he's illegal.

Question. Who is he?

Answer. That was his name.

Question. Where is he now?

Answer. I don't know where he is now.

Question. What was his business?

Answer. I can't tell you.

Question. Did he live there at that time?

Answer. No.

Question. Where did he live?

Answer. I couldn't tell you.

Question. Did he vote himself?

Answer. He did.

Question. Where did you find him to take him to vote?

Answer. I found him in the store.

Question. In your store?

Answer. Yes.

Question. What was he doing there?

Answer. Nothing.

Question. Did you take him to vote?

Answer. I did. I gave him the tickets.

Question. How long had he lived there?

Answer. He never lived there.

Question. How long had you known him?

Answer. A little over a year.

Question. What was his business?

Answer. I don't know.

Question. Was his name registered?

Answer. It was, I believe.

Question. Are you sure?

Answer. I couldn't tell you; I ain't sure.

Question. Do you know who had it registered?

Answer. I know he voted; that's all. I suppose the registers.

Question. Do you know who induced them to register it?

Answer. I don't.

Question. Had he ever voted in that district before?

Answer. I don't know; all I know is that he wasn't a voter.

Question. Had he ever lived in that district?

Answer. Not to my knowledge.

Question. Why should the registers put him down on their registry if he wasn't on the last poll-list?

Answer. Well, we might recommend him. I might have put him down myself for all I know; every one that I could entice, I had his name registered. I had plenty of names down, so as I could get substitutes for him.

Question. Did you substitute any one for O'Neil?

Answer. No, sir, I didn't entice him.

Question. I thought you told me he was sitting in your store when you found him?

Answer. He hasn't been doing anything for some time. There's hundreds come in there to stand around and read the papers.

Question. Did you think when they came to read the papers that they came there to vote?

Answer. Sometimes they did.

Question. Whenever they want to do any iniquitous act, they come to you to live?

Answer. Any other place is the same as my own in that respect.

Question. Do you know any one by the name of John O'Bray?

Answer. No, sir; I don't know any such name.

Question. Do you know anything about him?

Answer. I do not.

Question. Did you make any inquiries in Thirty-ninth street to know whether any such man lived there?

Answer. No, sir.

Question. Do you know Pat. Brown, 724 Second avenue?

Answer. Yes, sir.

Question. Who is he?

Answer. A friend of mine.

Question. Where does he live?

Answer. He lives in Pennsylvania now.

Question. What is his business?

Answer. He's a stone mason.

Question. How many of your friends have gone to Pennsylvania?

Answer. A great many of them.

Question. How does it happen that all the persons you have testified to as illegal voters have gone somewhere where we can't find them?

Answer. Well, we can't keep them in the house, because it wouldn't pay to support them and keep them idle.

Question. Do you take any particular means to forget places where they live?

Answer. I do not, sir; I know he is in Pennsylvania, living and working there; he didn't vote; we got him a substitute.

Question. You don't know anything about W. G. Ryan?

Answer. I do not, sir.

Question. Frank Reader—do you remember that name?

Answer. I don't know any man of that name.

Question. Do you know where Frank Reader lives?

Answer. I do not.

Question. Do you know any such name?

Answer. I do not, sir.

Question. There may be, for aught you know?

Answer. I think not, sir; there may.

Question. Did you inquire at 726 Second avenue?

Answer. That's in your house, Steve, [to a man in the crowd;] there's no such man lives there.

Question. Did you make any inquiries there?

Answer. I didn't want to; I know pretty much all the house; I know there's no such man as Reader lives there.

Question. You don't know every one in the house, do you?

Answer. Petty near.

Question. Pretty near, is not all. May he not be one of those that you don't know?

Answer. I know there was a good many boguses while Steve was there. The man might live there, but I don't think he did. If he did, I think I would know him.

Question. Did you make any inquiries at 721 for James Rea?

Answer. I did not, sir; I don't think there's any such number. There's

only two houses—three houses—below me. There's a man by the name of Thomas lives in one, and a Dutchman in the other, and I know he didn't vote. In Rea's house there's only two families.

Question. What's the name of the other family in Rea's house?

Answer. I think it's Mills or Miller, or some name like that. There's only the two men in the house, any way.

Question. Are you sure of what the name of the family is?

Answer. I don't know. I know the man didn't vote himself. I don't believe he has a vote. Rea, himself, didn't vote either.

Question. Might not James Rea have lived in the district without your knowing anything about it?

Answer. He might, but I don't think he did.

Question. Who caused the name of Pat. Ross to be registered?

Answer. He registered himself, of course.

Question. Who voted in his name?

Answer. I don't know, but I know he voted, anyhow.

Question. Do you know who polled a vote in his place?

Answer. I don't. He's dead this couple of years, I believe.

Question. Do you know Phil. Ryder?

Answer. I do.

Question. Where does he vote?

Answer. Thirty-eighth street, First and Second avenues.

Question. Was he a legal voter?

Answer. He's out of the district.

Question. Why is he out of the district?

Answer. He's on the opposite side of the street; he lives in the sixth district.

Question. Do you know George W. Smith?

Answer. I do not.

Question. Do you know whether there is such a voter in the district?

Answer. I don't.

Question. Do you know whether there's such a voter in the district as James Smith?

Answer. I don't know; I don't believe there is.

Question. Did you ever make any inquiries at 145 Thirty-eighth street?

Answer. I know there was one voted there; he wasn't a legal voter.

Question. In what respect wasn't he a legal voter?

Answer. Because he didn't live there.

Question. How do you know that he didn't live there?

Answer. Because I know he didn't—never did live there.

Question. Do you mean to give no other answer than that?

Answer. No, sir; I don't believe he did.

Question. Where did he live if he didn't live there?

Answer. He used to live upon the hill, and I think he boarded down in Thirty-third street.

Question. What number?

Answer. I can't tell you.

Question. Where does he live now?

Answer. I don't know.

Question. What's his business?

Answer. I don't know what his business is.

Question. Do you know any James Tracy in the district?

Answer. He lives in the Nineteenth ward.

Question. Do you know James Tracy?

Answer. I do.

Question. Is it an uncommon name?

Answer. No; I know the man perfectly well, sir.
Question. Did he ever live in this district?
Answer. He did.
Question. Whereabouts?
Answer. He lived Thirty-ninth street, First and Second avenues.
Question. Did he vote?
Answer. He did.
Question. Did you see him vote?
Answer. I did.
Question. Did you take him to the polls to vote?
Answer. He was there.
Question. Did you give him his tickets to vote?
Answer. I believe I did; I am not sure.
Question. Where did you find him?
Answer. I know I gave him a ticket, and looked at his tickets. What tickets he had I couldn't tell; I changed them when he was voting.
Question. Did you induce him to vote?
Answer. He was in the polls at the time, and I gave him a set of tickets of my own.
Question. Do you know James Witt?
Answer. I don't
Question. Don't know whether there is such a man in the district or not?
Answer. I don't.
Question. Do you know whether there is a William Ryder in the district?
Answer. I do not.
Question. Do you know whether there is a Pat. Haviland in the district or not?
Answer. No.
Question. Do you know whether James Witt resides in Fifty-ninth street, between First and Second avenues?
Answer. No, sir.
Question. Do you know whether William Ryder lives at 139 East Thirty-eighth street?
Answer. I don't know.
Question. Do you know James Writt.
Answer. Yes; I believe he lives in Thirty-eighth street, between Second and Third avenues.
Question. In the district?
Answer. I believe so.
Question. Do you know whether Pat. Haviland lives at 138 East Thirty-eighth street?
Answer. I do not.
Question. Do you know whether Dan. Broderick resides in the district?
Answer. I think he does.
Question. Do you know whether Edmund Hughes lives there or not?
Answer. He don't live in the district, but he voted there.
Question. Do you know him?
Answer. I do.
Question. Where does he live now?
Answer. I don't know what part of the ward he lives in now.
Question. What means of knowledge have you that he does not live in the district?
Answer. I know he does not.
Question. Can you give me any information by which I can find Edmund Hughes?
Answer. No, sir; I can't.
Question. What's his business?

Answer. I don't know.
Question. Who had him registered at the last election?
Answer. I forget now whether it was me or Mr. Tracy.
Question. Did anybody vote for him, or did he vote himself?
Answer. I guess he voted himself.
Question. Did you see him vote?
Answer. Yes.
Question. Did you take him up to vote?
Answer. No.
Question. Do you know John Jennings?
Answer. I do.
Question. Where does he live?
Answer. Thirty-ninth street, between First and Second avenues.
Question. Do you say he was not a legal voter?
Answer. I do; he was not a citizen.
Question. How do you know?
Answer. I know he's not.
Question. How long have you known him?
Answer. Four years.
Question. How long has he been in this country?
Answer. I can't tell you.
Question. Where was he born?
Answer. I don't know.
Question. Where did he come from to this country?
Answer. I don't know.
Question. How long had he been in the country when you first knew him?
Answer. I can't tell you.
Question. How do you know he is not a citizen?
Answer. I know he isn't.
Question. And you refuse to give any other answer than that?
Answer. I know so far as this: that he went to get his license out, and he couldn't because he was no citizen.
Question. Did he ever tell you he was not a citizen?
Answer. He did, sir.
Question. When was it he tried to get his license out?
Answer. A few days before the election.
Question. What license was that?
Answer. To drive a cart or something.
Question. Are you sure it was a license to drive a cart?
Answer. To drive something; I don't know what he wants to drive. He was looking for the license in the mayor's office, and he couldn't get a license because he was no citizen?
Question. And he lives there now?
Answer. I don't know whether he does or not.
Question. Do you know James Smith?
Answer. I do not.
Question. Do you know Thomas Powell?
Answer. No, sir.
Question. Do you know James Baylin?
Answer. No.
Question. Do you know whether any of them lived in the district or not?
Answer. I don't know.
Question. Do you know whether they lived at 445 Thirty-eighth street?
Answer. I never know'd them to live there.
Question. Who does live there?
Answer. I think that is Deegan's house.

Question. Do you know who lives in Deegan's house?
Answer. I do not.
Question. May they live there and you not know it?
Answer. They might; but I don't think they live there.
Question. Why?
Answer. Because I would see them sometimes.
Question. Suppose they were decent, sober men, and would not go to rum shops?
Answer. It isn't through liquor stores I see them.
Question. Where would you be likely to see decent, sober men?
Answer. Oh, I don't know; in church, sometimes.
Question. Do you go to church?
Answer. Not very often now.
Question. Where would you be likely to see them?
Answer. I don't know, sir. I have been at Mr. Dodge's house.
Question. Do you know this Thomas Meeny?
Answer. I do, sir.
Question. Where does he live?
Answer. 724 Second avenue.
Question. Whose house is that?
Answer. Mine, sir.
Question. Did he vote at the election?
Answer. Yes.
Question. How long have you known Thomas Meeny?
Answer. Since he came to the country.
Question. When did he come to the country?
Answer. I can't tell you.
Question. Over a year ago, or five, or ten years ago?
Answer. No; I guess about two years ago.
Question. Did he come directly to your place after he came to the country?
Answer. Yes, sir.
Question. Did yon know him before he came here?
Answer. I didn't know him before he came here, but I knew exactly where he came from
Question. You induced him to vote?
Answer. Yes, sir.
Question. Was his vote challenged?
Answer. No, sir.
Question. You took him to vote?
Answer. Yes.
Question. Whose name was this that you say was challenged?
Answer. I can't tell you now.
Question. What inspector challenged him?
Answer. I can't tell you. I was bringing him in to vote; we wanted to fill up the four hundred at the time, to make a clear four hundred in the district; he was known to live down in Thirty-fifth street at the time, and he was challenged; so I pushed him out to get an affidavit, and kept the policemen back.
Question. Do you know what name you were going to get him to vote?
Answer. I believe it was old Dennelley's name.
Question. Who did you get to vote on Dennelley's name afterwards?
Answer. I can't tell you.
Question. Do you say you got another man to vote Dennelley's name?
Answer. I believe he was going to vote that Earl's name.
Question. Where does he live?
Answer he is dead.

Question. And you can't remember the name of this man that you got out in that way?

Answer. No.

Question. How many legal votes are there in that district?

Answer. I don't know; you couldn't tell, because the men in that district wouldn't stop home to vote for any man, and we almost always find substitutes say that they wouldn't lose their vote; I couldn't tell you how many legal votes there were.

Question. How many legal votes do you think were polled on election day in that district?

Answer. Three hundred and forty or so, I suppose.

Question. And how many illegal votes?

Answer. I guess in the neighborhood of sixty—about that, I think.

Question. And how many of those do you think you polled?

Answer. I should think I polled in the neighborhood of thirty.

Question. About half of them?

Answer. I think so.

Question. How long have you known Mr. Myers?

Answer. About three or four years.

Question. How did you first become acquainted with him?

Answer. I saw him when he was on the police?

Question. Did you ever have anything to do with any difficulty he got into about his being charged with robbing a pedler?

Answer. No, sir; I never knew he robbed a man in my life before.

Question. When did you first begin talking with Butch Myers about this contest?

Answer. About two weeks ago, I guess.

Question. Where did you have that first conversation with him?

Answer. I believe it was on the street; I believe I met him on the street and asked him what he was doing, and he told me; I told him he couldn't find out anything about it; "If you want any information," I said, "I will give it to you;" and so I did.

Question. What did you do then?

Answer. Gave him all the information that was required in the district.

Question. Did you give him all the information he required?

Answer. Yes.

Question. Did you go into any house?

Answer. I didn't want to go into any house; before he came to me he tried the houses; he told me he was after trying my house when I met him, and that the people didn't live there; I laughed, and told him they did not.

Question. Is it usual when you cheat at elections to go and tell the opposite party?

Answer. No.

Question. Do you expect to get any pay for your honorable conduct in this election?

Answer. I do not, sir.

Question. You don't think it deserves any?

Answer. No.

Question. Don't you know that Mr. Barr received $2,000 for keeping in the field?

Answer. No, sir.

Question. What was your reason for telling Mr. Myers all these things?

Answer. Well, there is always little quarrels in politics.

Question. What was the quarrel that brought you into this?

Answer. I don't know; I don't want nothing from either Mr. Barr, Mr.

Brooks, Mr. Dodge, or no other man; what I do, I do of my own free will; I did this of my own free will.

Question. You told me there were quarrels that brought about these things. What quarrel or jealousy was it that made you do this dirty work?

Answer. Nothing at all.

Question. Have you had no quarrel that made you go and tell Myers about this?

Answer. Not a thing.

Question. Did you have no disappointment in getting any office?

Answer. I never looked for any office.

Question. Did you have no disappointment about any patronage or anything of the sort?

Answer. No, sir.

Question. You have no political quarrel about anything?

Answer. Not a bit of it.

Question. You gave this information to Butch Myers, in order to assist the democratic cause?

Answer. No, sir, to injure it if I could.

Question. Why?

Answer. It suited me; that's all.

Question. What were the circumstances that made you wish to injure your friends, the democratic party?

Answer. None.

Question. Then you were telling a falsehood when you spoke of a political quarrel?

Answer. I done this out of my own free will.

Question. When were you telling a falsehood, now or then, when you told me there were circumstances that caused you to do it? Do you consider that that was false?

Answer. I consider I am doing what is right.

Question. Were you telling what was true, or what was false?

Answer. I am telling what is true. I tell you, sir, there is nothing in the world; I come and done this at my own free will.

Question. When you told me that circumstances induced you to do this, was that statement true or false?

Answer. It was true, sir.

Question. What were the circumstances?

Answer. Well, sir, I will tell you. When I went for Mr. Brooks the day of the election, I went for him and did all I could to carry the district for him, and kept my house for him all day; I spent my money and used my liquor. Mr. Brooks was elected, but he forgot to come and ask me whether it cost me anything for it. I thought it was my duty, when he wasn't gentleman enough to come and ask me how much it cost me. Mr. Stewart came and asked me how much it cost me, and I told him "Nothing, sir." I busied myself greatly in his election; that is all the circumstances that there is about it; a man that is worth nothing after election is worth nothing before it.

Question. Have you had your house open, and given your liquor for Mr. Dodge lately?

Answer. No, sir; no man ever drank a cent's worth of liquor on his account in my house.

Question. Have you spent any money in getting this matter up for him?

Answer. Not a dollar, sir.

Question. Is that the only circumstance?

Answer. That is the only circumstance, sir.

Question. There was nothing else beside that?

Answer. Nothing else beside that.

Question. Then if Mr. Brooks had given you money enough to pay your expenses you would not have given this information?

Answer. I don't want any money; Mr. Stewart asked me how much my bill was; I told him "Nothing;" it is a thing I never made a practice of; but every man knows that you don't buy your goods for nothing; I can't get goods for nothing.

Question. That is the only circumstance that makes you want to injure him?

Answer. I am not under any obligation to him; therefore I have a right to dispose my mind as I please.

Question. For what other reason do you want to injure your democratic acquaintances?

Answer. No other reason; nor neither was that the reason; I would never bother Mr. Brooks about that, but I thought I didn't care about such friends; they don't pay.

STEPHEN GEOGHAN.

Attest: JOHN R. BRADY, *J. C. P.*

S. F. Sherwood sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. Where do you live?

Answer. 554 Second avenue.

Question. Did you vote for member of Congress on the 8th of November last?

Answer. Yes, sir.

Question. Where did you vote?

Answer. Corner of Thirty-first street and Second avenue.

Question. For whom did you vote?

Answer. William E. Dodge.

Mr. ANTHON:

Question. Did you read your ticket before voting?

Answer. Yes, sir.

Question. Do you remember reading the name of William E. Dodge upon it?

Answer. Yes, sir; I was very particular about that.

Question. How long had you lived at that place?

Answer. I should think about eighteen months previous to the election; somewhere about that.

Question. Had you no bet upon the event of the election?

Answer. No, sir.

Question. You are a native-born citizen of the United States?

Answer. I am, sir.

Question. For how long a time have you voted in that district?

Answer. I think that is the first time I voted in that district.

Question. What is your business?

Answer. Coal-dealer.

Question. Where did you vote the year before?

Answer. I voted corner of Twenty-eighth street and Second avenue.

Question. The year before?

Answer. Yes. I am not certain whether I voted at all or not.

Question. What is your best belief about that?

Answer. My best belief is that I did'nt vote at all.

Question. What was the reason of that?

Answer. My business interfered, I think. I am under the impression I did not; I wouldn't be positive about it.

Question. Do you remember about the election of 1862?
Answer. Yes, sir.
Question. Do you remember where you voted then?
Answer. Corner of Twenty-eighth street and Second avenue.
Question. Since that time you have moved into this district?
Answer. Since that time I have moved into this district.

S. F. SHERWOOD.

Attest: JOHN R. BRADY, *J. C. P.*

Adjourned to Wednesday, March 29, 1865, at 7 o'clock p. m.

WEDNESDAY, *March* 29, 1865.

George Scales sworn. (Objected to. See page 10.)

Mr. PHELPS:

Question. What are your initials?
Answer. George.
Question. Where do you live?
Answer. 577 Second avenue.
Question. Did you vote on the 8th of November last?
Answer. I did, sir.
Question. Where?
Answer. Corner of Thirty-first street and Second avenue.
Question. Did you vote for member of Congress?
Answer. I did, sir.
Question. For whom did you vote for that office?
Answer. William E. Dodge.
Question. Do you know Robert Barton?
Answer. Yes, sir.
Question. Where did he live on the 8th of November last?
Answer. In the same house with me.
Question. Do you know if he voted then?
Answer. Yes, sir.
Question. Did he vote at the same polling place?
Answer. He did, sir.
Question. Did he vote for member of Congress?
Answer. He did, sir.
Question. For whom?
Answer. Mr. Dodge.
Question. Where is he now?
Answer. He is in Hilton Head, South Carolina.
Question. Is he in the service of the government?
Answer. He is working for the government as a carpenter, not as a soldier.

Mr. ANTHON:

Question. Did you examine your ticket before voting?
Answer. I did, sir.
Question. Where did you get your ticket?
Answer. I got it in the block there near where I lived.
Question. From one of the booths?
Answer. Yes, sir.
Question. Where did you examine it?
Answer. In my own house.

Question. What did you do with it after you examined it? Did it leave your possession?

Answer. I kept it, put it in my pocket, and put it in the polls when I went there.

Question. It did not leave your possession?

Answer. No, sir.

Question. Do you remember reading Mr. Dodge's name on it?

Answer. I do, sir.

Question. Who did you vote for for sheriff?

Answer. I don't recollect.

Question. Did you read your ticket for sheriff, do you think?

Answer. I don't know; I don't recollect the sheriff.

Question. Do you recollect reading your ticket for that office?

Answer. I don't recollect reading the ticket for sheriff, sir.

Question. Do you recollect reading your ticket for coroner?

Answer. No, sir; I do not.

Question. Or member of assembly?

Answer. No, I don't remember of reading my ticket for member of assembly.

Question. Do you remember reading the presidential ticket?

Answer. Yes, sir; I do.

Question. Were the only two tickets that you read the presidential ticket and the ticket for Congress?

Answer. I read all the tickets, sir; but I don't recollect all of them.

Question. How do you happen to recollect the congressional ticket better than the others?

Answer. I heard so much about it where I work.

Question. Had you heard much about it before you voted?

Answer. Yes, sir; I had, indeed.

Question. How long had you lived at 577 Second avenue?

Answer. Since the 1st of August last.

Question. You had lived there three months previous to the election?

Answer. I moved in there the 1st of August.

Question. Where did you live previous to that time?

Answer. Forty-seventh street.

Question. How long had you lived there?

Answer. I lived there very near two years; within six weeks of two years.

Question. What is your business?

Answer. I am a house-carpenter, sir.

Question. Had you made any bets on the election?

Answer. No, sir; I made no bets.

Question. Who do you work for as carpenter?

Answer. I work for Mr. John Stevenson.

Question. Who do you hire your house from?

Answer. A gentleman by the name of Burke—Francis Burke.

Question. Who induced you to come here to-night?

Answer. Well, this gentleman sits back here that requested me to come.

Question. Will you point him out?

Answer. Yes, sir; he sits there, (pointing to Mr. Burchell.)

Question. Mr. Burchell?

Answer. Yes, sir; that is the man.

Question. Had you known Burchell before?

Answer. I once went to him about two years ago in regard to rooms; I didn't know him the first time, but I recollected seeing him somewhere; that brought it to my memory—that it was the gentleman I wanted to see about renting rooms.

Question. That is all the acquaintance you have with him?

Answer. Yes, sir.
Question. When did Barton leave 577 Second avenue?
Answer. On the last day of November.
Question. How long had he lived there before the election?
Answer. He lived in it—about the middle of August he came to live there.
Question. Where had he lived before that time?
Answer. He had lived in South Carolina and Virginia and other places; he was in the army.
Question. Where did he live before he entered the army?
Answer. He lived in Twenty-eighth street; the corner of Third avenue, I think—boarded there.
Question. That is not in the third district, is it?
Answer. I don't know, sir, what district it is.
Question. Did he vote with you?
Answer. Yes, sir; he voted with me.
Question. Did he express to you any doubt as to his right to vote?
Answer. He did not; he had a perfect right to vote.
Question. Was his vote challenged?
Answer. His vote was challenged; yes, sir.
Question. Did he swear it in?
Answer. Yes; he showed his papers.
Question. What papers did he show?
Answer. His papers of a right to vote, which he got at the court-house.
Question. His naturalization papers?
Answer. Yes, sir; he served three years in the army, and he was entitled to vote.
Question. Did he swear how long he had resided in the district?
Answer. Not to my knowledge.
Question. By whom was his vote challenged?
Answer. I don't know the name of the gentleman that challenged his vote; he stood behind the glass box.
Question. Was his name registered?
Answer. I wrote his name; it was not before that.
Question. You had to swear his vote in as a householder?
Answer. I did, sir; I swore his vote in as a householder.
Question. Do you know whether he had made any bet on the election?
Answer. I don't think he did make any bet.
Question. Have you any knowledge on that subject?
Answer. I have no knowledge that he made any bet; it is the best of my belief that he did not.
Question. Did you see his ticket?
Answer. I did, sir.
Question. Where?
Answer. In my house; he lived with me at the time.
Question. Do you know what he did with his ticket after you saw it?
Answer. He did the same thing that I did; he put it in his pocket.
Question. Did you see him do that?
Answer. Yes, sir.
Question. Do you know whether he had any other tickets in his pocket?
Answer. I know he had other tickets, but he left them there.
Question. Left them where?
Answer. Left them scattered around the room.
Question. Did he hire his rooms from you?
Answer. He did not, sir; he boarded with me. He is my brother-in-law.
Question. Could he not have changed his tickets between the time you saw them and the time he voted?

Answer. Well, he could; but I seen the tickets before he put them in. We both opened out our tickets before we put them in.

Question. Where did you do that?

Answer. It was in the poll-room, or outside of the door, while we were standing in the line.

Question. Could he not have changed his tickets before he put them in?

Answer. He might have done so, but still I believe he didn't. I am most sure he didn't do it.

GEORGE SCALES.

Attest: JOHN R. BRADY, *J. C. P.*

F. Zittel recalled.

Mr. PHELPS:

Question. Do you know James R. Mason?

Answer. I do.

Question. Where does he reside?

Answer. 156 Thirty-first street.

Question. Did he ever tell you that he voted on the 8th of November last for member of Congress?

Answer. He did.

Question. For whom did he say he voted?

Answer. William E. Dodge.

Question. Did he tell you where he voted?

Answer. He told me corner of Thirty-first street and Second avenue.

Mr. ANTHON:

Question. How many times have you been examined in this case?

Answer. I believe this is the third time.

Question. When were you examined last?

Answer. I think it was Monday evening.

Question. Did you know about this man then?

Answer. Yes, sir.

Question. Why didn't you tell of him then?

Answer. I did; I told you of it. I told you there was another man that I was going to see, but he wasn't in that evening in time to see him.

Question. Did you know then that he would tell you that he had voted for Dodge?

Answer. He hadn't told me then. I was told that he had voted for Mr. Dodge.

Question. Since then you have hunted around and seen him?

Answer. I have seen him; yes, sir. I haven't hunted any.

Question. How long have you known Mason?

Answer. I think it is about a year; perhaps more.

Question. What is his business?

Answer. He is now doing something in the way of soda-water, down in Fourth avenue.

Question. Is he sick now?

Answer. No, sir; he is here in the room.

Question. Do you know whether his name is on the list of witnesses furnished to us?

Answer. I don't know, sir.

Question. What other questions did you ask him besides who he had voted for?

Answer. I asked whether he made any bets?
Question. What else?
Answer. Whether he looked at his tickets.
Question. What else did you ask him?
Answer. I don't know as I asked him any other questions about the election.
Question. Did you ask him how long he had lived in this place?
Answer. Yes, sir.
Question. How long did he say?
Answer. I think he said it was two years, the 6th, or 8th, or 10th of May—a year ago last May.
Question. Did he say whether he had made any bet on the election?
Answer. He told me he did not; he told me I might know him better than that.
Question. What did he say as to his reading his ticket?
Answer. He said he had read his ticket.
Question. When?
Answer. He said before he went to the polls.
Question. Do you know whether he is a native-born citizen or not?
Answer. I do not, sir.
Question. Did you ask him whether he was naturalized or not?
Answer. No, sir.
Question. Is there any one else that you are going to hunt up this evening?
Answer. I don't think there is.
Question. You don't propose to be examined again?
Answer. I don't think I shall. I don't know of anything now.
Question. At whose request did you go to see this man?
Answer. At nobody's.
Question. Of your own free will?
Answer. Yes, sir.
Question. How many other persons have you inquired of?
Answer. Only those two other men that I spoke of the other night. The way I found out was by asking a young man, who said he voted a split ticket; but he told me his brother-in-law voted for Mr. Dodge, and also two other men that he thinks voted for Mr. Dodge.
Question. Do you know whether Mason voted a split ticket or not?
Answer. No, sir; I do not.

F. ZITTEL.

Attest: JNO. R. BRADY, *J. C. P.*

(Mr. PHELPS, counsel for Mr. Dodge, offers Mr. James R. Mason for examination.

Mr. ANTHON, counsel for Mr. Brooks, thinks that, inasmuch as the name of Mr. Mason has been, as he supposes, carefully and intentionally omitted from the list of witnesses furnished, that it is not necessary to examine him, especially as there is no direct examination upon which to cross-examine.)

W. W. Phelps recalled.

Mr. DODGE:

Question. I want to ask you if you know of any parties in the fifteenth district, of the Eighteenth ward, that had no right to vote, and were not entitled to vote in that district? If so, please name them.

Answer. John Callaghan, 257 East Fourteenth street; the landlord, Mr. Elich Walner, said that he didn't live there. Elich Walner, 247 East Fourteenth street; there is no dwelling-house there, and the Catholic church stands from 245 to 249. Elias J. Conover, 349 East Fourteenth street; this is the ground that is occupied by the gas-works. John McCormick, 259 East Fourteenth street; he was not there; Mrs. Miles Burke, who lived there, knew every occupant, and no such man ever lived there. Owen McCormick voted from the same house; he also didn't live there. Andrew Cassidy voted from 269 East Fourteenth street; this is no dwelling house, but an open lot. Peter Lannigan voted from 289 East Fourteenth street; Mrs. Ann Quigley and others in the same house said that he never lived there. Thomas Hughes, 287 East Fourteenth street; this is a store and corner house, but it was empty at the time of the election, and has been empty since. Patrick Kearney and Patrick Hart voted from the same house. Bernard McCarty voted from 299 East Fourteenth street; Mr. Blum, who lived in that house, said that no person of the name lived there. Michael Bosker voted from 303 East Fourteenth street; Mrs. Lynch, who knows all the parties in the house, said that he didn't live there. William Ocktill voted from the same house. Charles Boske voted from 307 East Fourteenth street; he didn't live there; and Lyndegras, who did, stated that he didn't live there, and he knew every man who lived in the adjacent houses. Laurence Faulke voted from 501 East Fourteenth street; but the last number in that street is 309. Maty Blum voted from 149 East Fourteenth street; it is not in the district, is not a dwelling-house, and Blankard, who lived in the building, never heard of the man. James Jones voted from 201 East Fourteenth street; there is no dwelling-house there, and it is the rear of a coal-yard. Thomas Moore voted from 203; the same. William R. Burrill voted from 243 East Fourteenth street; this is the residence of Father C. A. Farrell, and no such man was there at the time these inquiries were made. Henry Cummings voted from 254 East Fourteenth street; Mrs. Cassidy is sure that there was no such a man in the house at that time. John W. Dennis voted from 255 East Fourteenth; he was not there; Mrs. Finity, a person of some intelligence, said there was no person of a name like it there. James Giverney voted from 307 Fourteenth street; children in the house didn't know any such man, and women on the second floor were positive he hadn't lived there that year. Ignatz Sciversman, 294 Fourteenth street; Mr. Blum was the owner, and said he didn't live there. Bernard Dalton, East Fifteenth street, between avenues A and B; none in that vicinity knew anything about him or had ever heard of him. Jacob Weevil voted from 504 East Fifteenth street; there is no dwelling-house there—nothing but gas-works. Henry Wech voted from 254 East Fifteenth street; Max Levy, the owner of the premises, said he didn't live there. James Finity voted from 244 Fifteenth street; he didn't live there. Thomas Conway voted from 263 East Fifteenth street; there is no dwelling there; it is a vacant lot. Amor Williams voted from 259 Fifteenth street; vacant lot. Thomas Selatus, 259 Fifteenth street; a vacant lot. Henry Ray, 281 East Fifteenth street; no such man there. Henry Scouler, 257 Fifteenth street; the present number is a shop and stable unoccupied by human beings. Mr. Scouler is not at the old number. Charles Boylan, 255 East Fifteenth street; Mr. Kelly, the landlord, said he was not there. Patrick McMahon, 255 Fifteenth street; didn't live there; the landlord said he didn't. Michael Hannigan, the same number; the landlord said the same thing. Arthur Monagan, 650 Fifteenth street; no dwelling. Richard Bettywith, 303 Fifteenth street; no dwelling—gas-works. John Giverney, 281 Fifteenth street; the people in the house say he has never lived there. Henry Mahoney, 253 Fifteenth street; Mrs. Boyle has lived in the house six years, and says he hasn't been there during those six years. John Yancy, 253 Fifteenth street; Mrs. Boyle gives the same testimony in reference to him. Richard Offeld, 253; he

didn't live there. John McRatck, 251 Fifteenth street; Mr. Kelly, the landlord, never heard of any such man—not there in November he is sure. James McCarnard, 249 Fifteenth street; two votes were cast in November for this name. Mary Minor and others, who lived in the house, say he never lived there. James McCarnard, a second time from the same place. Thomas McCarnard, 249 Fifteenth street; no McCarnard in the house, and the occupants have no knowledge of any person of that name. Barlho Ruffley, 249 Fifteenth street; Mary Minor and others in the house never heard of him. James Duffey, 258 East Fifteenth street; Charlotte McHugh, a young woman living in that house, was not afraid to give her testimony that no James Duffey lived there. Charles Sands, 247 Fifteenth street; he was not there; Mrs. Kennedy and others on the premises, including the children in the hall-way, did not know of any such person. John Frey, 241 East Fifteenth street; Nos. 241 to 245, inclusive, are a Catholic school-house, closed at night; nobody lives there; he was not there. John Malloy, 256 East Fifteenth street; Mr. Dean went through the house and inquired of the occupants, and they knew nothing of him. Joseph Alcoln, 249 Fifteenth street; he didn't live there. John Hack, 269; didn't live there. Thomas Cloman, 257; there's a shop and a stable on this lot—no lodging for a human being; the neighbors said no such man had lived there. Owen P. Clarke, 259 Fifteenth street; no such number in the district; the old number is part of a vacant lot, a stone-yard, and so forth. William Kain, 259 East Sixteenth street; that is the same as the last. John McCalliden, 261 East Sixteenth street; that's a vacant lot. Patrick Gilligan, 273 East Sixteenth street; no such number. James Breardan, 549 East Sixteenth street; didn't live there. Hugh McGarney, Sixteenth street; no inquiries in Sixteenth street elicited any discoveries in reference to his residence. William Hubert, 551 Sixteenth street; didn't live there. Andrew Carty, 551 Sixteenth street; didn't live there. William Ritzkeri 253 Sixteenth street; no number 253 in the district; the old number 253 is a vacent lot. Patrick McKeon, 251 Sixteenth street; that is a vacant lot with a stone-yard. James Gallagher, 547 Sixteenth street; didn't live there. James Kassen, 547; didn't live there. At 545 three men who voted were put down as living—John Hogen, Thomas Dugan, and Mortimer O'Connor—who didn't live there. From 543 Sixteenth street voted Thomas Duffey and Thomas Hogan; Thomas Duffey didn't live there; Thomas Hogan had lived there, but went to Morrisiana to live more than a month previous to the election. From 541 Thomas Donnelly voted who didn't live there; and also Timothy Sullivan; Mrs. Sullivan says that there has never been any Timothy Sullivan there, and her testimony is corroborated by others. Edward Birmingham voted from 535 Sixteenth street; he didn't live there. All the occupants of the house were mentioned by name to Mr. Dean, and his name was not among them. David Ray voted from 519 Sixteenth street; no such man was in the house; Mr. Davis was the chief authority Patrick Coughfinberger voted from 511; the inmates of the house told Mr. Dean that no Irishman or Dutchman of that name had ever been heard of there. From 507 voted Alonzo Stickner and William Burke, and George Hyland; and the landlady, who had lived there twelve months, said they hadn't lived there during her reign. From 505 voted Henry Wottenberger and John Wildey; Mrs. Zetten, wife of the owner, said they didn't live there. Edward Kelly voted from 173 Sixteenth street—it's not in the district. Patrick Murphy voted from 255 East Sixteenth street; there is no such number in the district; the old number is a vacant lot. William Britton voted from 177 Sixteenth street; he didn't live there, and if he did, couldn't have voted in this district; the number is not in the district. James Zines, or Ziner, voted from 517 East Sixteenth street, where he didn't live. Michael Hank voted from 511 Sixteenth street, and didn't live there. John Ziegler voted from 505, and didn't live there. Timothy Glandon voted from 530 Sixteenth street; no dwelling-house; it is an open lot; the last pre-

vious number occupied is 524. James Carr, who voted from 580, voted from a number which is not in the street. James Crane and Peter Eltens voted from 610 East Sixteenth street; Mrs. Kennedy and others, who lived on the spot, were positive of that fact. Patrick Nevin and John Finnegan voted from 612; Thomas Trenor, on the premises, said that neither of them lived there. Thomas Farrell voted from 646, and didn't live there. John McNally voted from 650, and he didn't live there. Mr. Dean inquired for a man named Monaghan, and others, in this street, but could not find them. Daniel Manning voted from 254; there was no such number in the district, and the old number is a vacant lot. John Bowen voted from 524; didn't live there. Bernard McCorner voted from 520 Sixteenth street; Mr. Tims, the landlord, said he was not there, and didn't know him. Patrick O'Rourke voted from 220 East Sixteenth street, and was not in the district. Michael Muller voted from 262; 262 is not in the district; the old number is a vacant lot. Joseph Rurke, or Burke, voted from 518 East Sixteenth street; Tims, the landlord, says there is no such man living there. From the same number voted Patrick Gough, who also didn't live there. From 516 voted Philip McDermot, John Madden, Michael Summers; neither of the three lived there. Patrick Walling voted from 514 East Sixteenth street; Mr. Gavin said he would have known him if he was anywhere about there, and he did not know any such man; he was sure he did not live in his house. In that same number, according to the poll-list, were William McKerney and Richard Framley, who didn't live there. From 512 voted Thomas Farrell; the lessor, a gentleman on the premises, said he didn't live there. Francis Cussick voted from 210 East Sixteenth street, and there is no such number in the district. James Coldus voted from 524 Sixteenth street; the occupants of the house said they knew him, but he didn't live there, and that he did live there for some time previous to November, 1864. Michael Hickey voted from 510; the landlady and other parties in the house said he didn't live there. Michael Griffin voted from 508; women in the house said he never lived there, and that he lives down town, and always claimed to live there. Thomas Kernan voted from 508; occupants and the landlady said that one Kernan lived there two years ago, but none had lived there since. Patrick Kernan voted from 512; the landlord said he didn't live there. Stephen McIntyre voted from 646 Sixteenth street, and so did Francis Ward, and neither of them lived there. From 516 voted Patrick Hogan; the occupants of the house stated positively that no such man ever lived there in their recollection. John Firm and John Hameline voted from 512, and didn't live there. John Keim voted from 222½ Seventeenth street; there is no half number as pretended, and John Keim doesn't live at 222. Thomas Dempsey voted from 511 Seventeenth street; it is not a dwelling-house, but there are factories and vacant lots. Peter Way voted from 209, and didn't live there. Robert Resler voted from 225, and didn't live there. John Wensteer, who voted from 227, didn't live there. C. S. Wentworth voted from 229 Seventeenth street; Mrs. A. C. Wentworth, at 229, says there was no C. S. Wentworth there in November last. Robert Walker voted from 241 Seventeenth street; there is no dwelling-house there; there is a foundry standing from 233 to 243, inclusive. John Decker voted from 245, a vacant lot. Francis Thorne voted from 553; no place there for him to live in. William Coughly voted from 253, and didn't live there. Francis McNiff voted from 229, and didn't live there. Thomas Collier voted from 253, and didn't live there. Thomas Carney voted from 243 avenue B. Two Thomas Carneys voted from this number: only one lives there. Emil Hene voted from 279 avenue B, and didn't live there. James White and Patrick Donnelly voted from 283 avenue B; James White didn't live there; Patrick Donnelly did live there, but had been dead six months—his children are there now. Michael Fowler voted from 210 avenue D; not in the district. John Gaynor voted from 280; he didn't live there;

moved to Connecticut some years ago. James Hastings voted from avenue C, between Fifteenth and Sixteenth streets; could not be found. John Hoy voted from 249 avenue B; didn't live there. Michael Renford voted from 239 avenue B, and didn't live there. Thomas Keisman voted from 241 avenue B; didn't live there. Peter Brithaneser, 241 avenue B, voted, and didn't live there; so did Andrew Finnen, and didn't live there. James McCarnan voted from avenue B, beween Fifteenth and Sixteenth streets; Mr. Dean found a similar name living at 241, but couldn't find the man to whom the name belonged. Thomas Henry voted from 243 avenue D, but died of typhus fever before July last. Charles Bostiss voted from 245, and didn't live there. John Londigan voted from 247; didn't live there. Henry Smith voted from 237, which is not in the district. Arthur C. Henry voted from 245; Thomas Henry's family in the house says there has never been any Arthur C. Henry in the house. John Costello voted from 245, and didn't live there. Thomas Igo voted from 203 avenue B; not in the district. Thomas Bain voted from 251; didn't live there. Edward Burns voted from 257; Mrs. Burns lived there, and she agreed with the others in saying that no Edward Burns lived in the house. Bernard Collaghan voted from 251; Michael Collaghan lives there, but Bernard does not; Michael, himself, said so. Patrick Mooney voted from 255, and didn't live there. Gebhardt Osintinger voted from 253, as well as Bernard Herrick and John Trainor; didn't live there. John Curran and James Dolan voted from 255, and didn't live there. Nicholas Clark voted from 257, and didn't live there. James Nally voted from 273, and didn't live there. Christopher Hene voted from 279, and didn't live there. Hugh Rusten voted from 266; Owen Clark from the same; Daniel Daly from the same; Owen Burns from the same—and didn't live there. John Beestick voted from 242; there's no house on that lot; the directory says that Beestick lives at 246 avenue D, but on inquiry he wasn't found there. William Fitzpatrick voted from 248, but didn't live there. John Reilly voted from 254; there is no such house, and there is no such man in the house which ought to be 254, if it was numbered. Christopher Gundle and Owen McCarty voted from 266 avenue B; Gundle didn't live there; McCarty had lived there, but had been away six months. Michael Raat voted from 264, and so did James Pinkerton, and neither of them lived there. Dennis Garvin voted from 268, and didn't live there. Dennis McCullough voted from 281; so did Patrick Callaghan; so did Thomas Finnerland; none of them lived there. Alexander Henger voted from 242, which is a vacant lot. David Wilson voted from 240, which is a vacant lot. Hugh McKeon voted from 240, a vacant lot. Frederick Geiss voted from 236; the house is not in the district, and Geiss has never been in the house. Thomas Webb voted from 246, and doesn't live there. Michael J. Reilery voted from 242 avenue A; he wasn't there; there used to be a Reilley there who moved to Thirty-second street before the election. Conrad Guss voted from 274 avenue A, which is not in the district; Andrew Carl voted from 226, and didn't live there. William Cannon voted from 210, and didn't live there, said Whalen the landlord. Michael Appalerty, 236 avenue A, voted; he didn't live there. Francis Heig, 208½ avenue A; Doctor Shubert, at 208½, says no such man has lived there. John Kilieber, 238 avenue A; didn't live there. Frederick Yonniker, 244 avenue A; didn't live there. Charles Copelor, 212 avenue A; didn't live there. Louis Frank, 204; in John G. Annins's liquor store, 204, Dean was informed that no such man lived there. Wm. Landor, 232; didn't live there. Abram Propts, 212; doesn't live there—so the landlady said—and hadn't. August Swerleger, 214; in the same number, John F. Hughbill and John Gladd, and Joseph Farewell—none of them live there. In 216, Bullyar Tegler and John Landshauser; didn't live there. Patrick Dugler, 224; didn't live there. Frederick Tuinleger, 220; didn't live there. Patrick Binman, 222; didn't live there. John Bowen, 222; didn't live there.

Adam Rur, 230 avenue A; didn't live there. John Spalding voted from 234; never lived there. Henry McKermons voted from the same number; don't live there; Mr. Sanger said he knew all the tenants, and he didn't live there. The same statement was made with reference to Patrick Welsh, who voted from 234. James Barry voted from 242; the landlord says he doesn't live there. Clements B. Dusslaw voted from 210; and Mr. Waylen, the landlord, and others, said he didn't live there. Charles H. Naugh voted from 244, and didn't live there. Gustavus L. Goetz voted from 214, avenue A; lives in Washington, District of Columbia, with his wife, and has lived there for a year or two.

Question. Now, Mr. Phelps, did these various parties whose names you have been reading vote in the fifteenth district of the Eighteenth ward?

Answer. Parties using their names are presumed to have voted, from the fact that these are names that were found on the poll-list of that district on the 8th of November last.

Question. How do you know the fact of the non-residence of these parties?

Answer. I derive my information from one Las Casas L. Dean, who has been employed for the past six weeks in obtaining them; he gave me, from hearsay, the general information, with the method in which he proceeded, and I have refreshed my memory from the paper I have in my hands, which he prepared to refresh his own memory.

Question. Why was he not produced?

Answer. Because his name was inadvertently left out of the list of witnesses.

Question. Do you swear, as my counsel, that you intended to have noticed him, and that it was accidentally omitted?

Answer. I make that statement.

Question. And that was on the list which you have of those that were notified?

Answer. That was my supposition.

Question. Where is he?

Answer. He is present here in the room.

Question. What do you know of him of and his character?

Answer. To be a member of the firm of Dean & Fiske, stationers, in Ann street; he is a man of good character, beyond suspicion, who was selected by me for the purpose of making this search some five or six weeks since on the ground that he had peculiar qualifications, being very faithful, and having been employed by Mr. Trow in getting up his city directory, a business that would fit him peculiarly well to get this information that we desired of the residences of the voters in that district.

Question. You have stated that he was some six weeks in making this search; do you know anything about the thoroughness of his search; did he make any statements with regard to the thoroughness with which he made it?

Answer. In my instructions I told him to make the search in the manner which he has told me subsequently he followed—by inquiring, if it was a tenement house, in all the apartments occupied by the different tenants; unless having found a landlord, landlady, or agent who could give him the information, and who was an intelligent person; in that case he was to confirm the statement of the said landlord, landlady, or agent by the testimony of some one intelligent occupant of the house in addition. He told me that, in addition to that, he had availed himself of every possible method by calling at the grocery shops, by questioning children playing in the street, and by every means that he could think of to make his search thorough. He also told me that he sought to find the alleged voters, and not not to find them—that he prepared lists of the voters in the different streets and avenues, and has spent some thirty days or more in calling at the houses, making thorough inquiries of landlords, agents, the families occupying different portions of the tenements, and of the children

in the street. He further states, in this paper with which I have refreshed my memory, and which he has verified by affidavit, as summing up the result of his inquiries, that one hundred and sixty-three men who voted on the 8th of November last were not residents of the houses they gave as the places of their residence—that forty-four men, at least, gave as residences vacant lots, churches, smithies, &c., where there were no dwelling-houses, and that three men at least were dead at the time of the said election day.

Mr. ANTHON:

Question. You made some computations with regard to the vote of this congressional district; did you make those computations with regard to any other district in the city of New York?

Answer. No, sir; only this congressional district.

Question. Did you make them with regard to any other congressional district?

Answer. No.

Question. You don't know what the result of that investigation would be in any other district in the city?

Answer. No; further than that I have been informed that the increase was much larger in our district than in any other.

Question. Have you any knowledge on that subject?

Answer. No knowledge; no, sir.

Question. Why did you not make such a computation, if you were going to swear that the increase was unduly large in this district?

Answer. Because I consider that the fact that it was generally admitted that the increase was larger in the district by parties on both sides, made it sufficiently evident, and I didn't want to make any more calculation than was necessary.

Question. What were your computations based upon—the presidential or the congressional vote, or what; in what year, and the votes for what offices?

Answer. The votes from the time of the last presidential election, for President then, and the vote for governor in 1862, and for secretary of state in 1863, and for member of Congress and President in 1864.

Question. What was the largest vote polled in 1860?

Answer. I couldn't say.

Question. You don't know for what office the largest vote was polled?

Answer. For presidential electors.

Question. Do you speak from knowledge?

Answer. I speak from knowledge derived from a certified copy which I requested them to give me from the list in the county clerk's office.

Question. Did you compare the vote for 1864 with the vote for President or governor in 1860?

Answer. I compared with the vote for President in 1864 the vote for governor in 1862.

Question. Why did you compare the presidential vote in 1864 with the governor's vote in 1862; did you suppose that the governor's vote bore any proportion to the vote for President?

Answer. I think the presidential vote for 1860 was larger; on examining my papers I discovered that I hadn't the presidential ticket.

Question. Don't you think the only fair computation would have been to compare the two presidential tickets?

Answer. Yes, sir; I think so.

Question. There is always a considerable difference between the vote for President and the vote for any other officer?

Answer. Yes, sir; there is a larger vote for President.

Question. How much larger do you suppose?

Answer. I couldn't say. In this certified copy, I think, if it was summed up I could tell.

Question. I mean the ordinary excess of a presidential vote over the other offices?

Answer. I think it would be considerably larger. I never remember to have compared sufficiently to say.

Question. Do you remember what the congressional vote in this district was in 1862?

Answer. No, I do not; that would be seen from the certified copies of the returns that are in evidence.

Question. Do you know what it was in 1860?

Answer. No.

Question. You haven't the returns here?

Answer. Yes, I have the certified copies; I don't know that they are added up; I have an impression that the difference is 5,000 between the two presidential elections, but I couldn't say without looking at the paper. I simply made the calculation for the purpose of putting them in evidence better than they would be in the statistics.

Question. Do you know what the congressional vote of last year in the fourth congressional district was?

Answer. No, sir.

Question. Do you know what the increase in that district was?

Answer. No, sir.

Question. Do you know what the increase of the vote was in the fifth congressional district?

Answer. No, sir.

Question. Do you know what the increase was in the sixth congressional district—Mr. Raymond's district?

Answer. No, sir.

Question. You made no investigation into any other district in the city in your computation?

Answer. No.

Question. Have you any authority for saying that the increase in this district was larger than in those others?

Answer. I made no such statement; I don't know.

Question. Have you any reason for thinking so?

Answer. I think that the increase was much greater in this district, because I heard so.

Question. You have no reason other than that for thinking so?

Answer. None other than that I have heard so.

Question. If I should tell you that in the fifth congressional district the increase had been 50 per cent., would you still remain of that opinion?

Answer. I should want to know first what the percentage of the others was before I should say about that.

Question. You can compute what the percentage of this district is?

Answer. I could if I had the statistics.

Question. Have you not the statistics?

Answer. No; I haven't the presidential vote.

Question. Do you know what the vote for governor was in 1862?

Answer. 15,568.

Question. And the vote for member of Congress in 1864, was what?

Answer. I haven't it on this paper, and can't say.

Question. 21,661?

Answer. I suppose so.

Question. What was the increase?

Answer. Over the vote for governor?

Question. Yes.

Answer. About forty per cent.

Question. Where did you procure these certified copies?

Answer. From the county clerk's office.

Question. Why was it that when you made the application for these returns you didn't call for the presidential vote in 1860?

Answer. I supposed it was there. I told the clerk to give me for the last four years the returns of the highest number of votes.

Question. What was the characteristic of the vote for governor in 1860; was it not a particularly small vote?

Answer. In 1862, you mean?

Question. What is the one that you used in your computation?

Answer. 1862, not 1860.

Question You say that the fifteenth district of the Eighteenth ward was created immediately before the election?

Answer. Yes, sir; the 3d of November.

Question. What was the object of creating a new district?

Answer. I suppose it was to increase the democratic vote, because there was no possibility of there being any republicans down there.

Question. Well, the object of creating a new election district, I suppose, is to provide additional accommodation for the voting?

Answer. Yes, sir.

Question. The creation of a new district is therefore based upon the idea that the existing district is too large and requires another polling place?

Answer. It is, supposing the common council to act from proper motives.

Question. It is generally supposable that public officers act from proper motives, unless you can prove to the contrary, is it not?

Answer. In courts of law it is.

Question. Do you know who was the representative of the Eighteenth ward in the board of aldermen at the time of the creation of that district?

Answer. Mr. Ottiwell.

Question. Is he a very active democratic partisan?

Answer. I think he's pretty active on both sides, as his supporters are generally as strongly democratic as republican; he is called a republican.

Question. Does he not call himself a republican?

Answer. He calls himself such, but I think those that are familiar with politics consider him as much a democrat as a republican.

Question. He was connected with the Tribune, was he not, at one time?

Answer. Not that I know of.

Question. What nomination did he have when he was elected to the board of aldermen?

Answer. I think that he had an offshoot of the republican nomination.

Question. Did he have any democratic nomination?

Answer. That is what I couldn't say. He received a strong democratic vote, for the reason that a Union candidate was run by the citizens' association, who took most of the republican votes.

Question. Is that a republican organization?

Answer. It is not; but when they nominate a republican citizen, he is very generally supported by the republicans.

Question. Even though the republican party have nominated a candidate themselves?

Answer. Though a portion of them fraternizing with democrats had nominated one of their own number or a democrat. If I could think that he was a republican I would say so, but I don't think he was.

Question. You spoke of a certified copy of a poll-list of the third district of the Twenty-first ward?

Answer. Yes, sir.

Question. Is that in evidence on your part?

Answer. No; I will put it in if I can find it.

Question. Do you know if there is anything in the law of the State which invalidates an election because liquor is sold within a quarter of a mile of the polling places?

Answer No, sir; it is simply contrary to the statute, and there are penalties providing for the punishment of the party infringing it.

Question. Do you know if there is anything in the statute which prevents any person, whether an inspector or not, from making or having a copy of the registry for his own information?

Answer. No, sir; I do not.

Question. Do you know if there is anything in the statute which renders it illegal for any person, without otherwise interfering in any way with the conduct of an election, to assist an inspector by looking over the registry list, and showing him the names of voters?

Answer. I can't say that it is specifically forbidden by the statute, any more than a number of other things that might possibly occur.

Question. Have you at any time, before or since the commencement of this investigation, examined the law of this State in relation to illegal voting?

Answer. No, sir.

Question. Do you, from your recollection, know that it is made a penal offence to cause the false registry of a voter's name?

Answer I don't remember the law. I should suppose that it ought to be, but I don't remember.

Question. Do you know of any limitations, from your knowledge of the statute, to a criminal prosecution for illegal voting?

Answer. I know that there is some thirty-day clause, a restrictive clause.

Question. You don't know whether that relates to the reward or to the prosecution?

Answer. No.

Question. Are you familiar with the section of the statute which prescribes for what purposes money may be expended at elections?

Answer No, sir.

Question. Do you remember, in any statute of the State, any clause mentioning the payment of money to a candidate of an opposing party for the purpose of keeping him in the field, as one of the expenses which might be legitimately incurred, with printing and so on, in the course of the election?

Answer. No, sir; I can't remember the statute, but I should suppose there was nothing in the statute prohibiting a man who was a respectable candidate from receiving assistance in electioneering.

Question. Do you think Mr. Barr a respectable candidate within your view of the law?

Answer. I think Mr. Barr is a respectable man.

Question. Did you think he became so since he was United States quartermaster?

Answer. I don't think I ever heard of Mr. Barr until he had the democratic nomination.

Question. As a good citizen, which I know you to be, I would like to know what is your opinion of the duty of yourself and your client in reference to the indictment of the two persons who swore that they had voted twice for Mr. Brooks?

Answer. Well, I think if it would do any good, and this city was not governed (with all due respect to our present respected judge) by democratic judges, who take a lenient view of such offences, and if Mr. Geoghegan had not acted in our interest, I should think it very right that he should be indicted and punished;

but inasmuch as such offences, if occurring on the democratic side, are usually pardoned, I should be loth to take upon myself so thankless a task.

Question. Do you think Mr. Geoghegan, after announcing his hostility to Mr. Brooks, would be in such a position as to be so protected?

Answer. As I understood him, I thought he maintained his position in the democratic party while intimating his dislike to Mr. Brooks.

Question. Which motive is the stronger in your mind as against the prosecution of Mr. Geoghegan—the motive in regard to the misgovernment of the city, or the fact of his being in a position to assist Mr. Dodge?

Answer. I don't think, anyway, I should undertake to prosecute him, because what he has done he has done in the interest of my client.

Question. With regard to the number of buildings in the congressional district, whence did you derive your information?

Answer. I had first reports which the superintendent makes to the board of supervisors.

Question. The superintendent of buildings?

Answer. Yes.

Question. What reports were those?

Answer. I had all the reports that he has published.

Question. See if that is the report that you mentioned? (Handing pamphlet to witness.)

Answer. That would be one of them.

Question. Will you look at the page turned down there, if you please, the list of the buildings commenced, and tell us what the number of buildings commenced in the Twentieth and Twenty-first wards was?

Answer. There were seven first-class dwelling-houses; there was one second-class dwelling; there were two tenement houses, eight factories, three stables, and three school-houses—making twenty-four in all, commenced in 1864 in the Eighteenth ward. In the Twentieth ward, one first-class, two second-class, nine third-class or tenement, eighteen factories, nineteen stables, and one church. In the Twenty-first there were twenty-six first-class dwellings, twenty-five second-class, three factories, twenty-nine stables, and two churches.

Question. Will you look at the list of buildings finished during the year and give us the same statement from that?

Answer. In the Eighteenth ward, seven first-class, one second-class, one third-class, nine factories, two stables, and one school-house. In the Twentieth ward, two first-class, two second-class, twenty-one third-class, nine factories, fifteen stables, one school-house. In the Twenty-first ward, sixty-six first-class eighteen second-class, two tenement, three factories, forty-one stables, two churches, and one school-house.

Question. What is the natural effect upon the population of an increased number of factories, workshops, and such buildings?

Answer. The natural effect is, as they take up a great deal of room which can't be used for dwellings, that it should drive out dwelling-houses in such districts to other districts adjacent.

Question. You don't think they increase the number of inhabitants by assembling the workmen around them?

Answer. I think the effect would be as I first stated.

Question. I am speaking of them as wards.

Answer. That question could not be answered generally, because a factory might be on the edge of a ward, in which case the workmen might or might not reside in the ward.

Question. Is it not the natural consequence of the erection of a factory, or manufacturing establishment of any kind, to assemble parties working in it in the neighborhood of the factory building?

Answer. Yes, sir.

Question. What is the date of that report?

Answer. I fancy it is for the year 1864.

Question. Do you remember at what time it was submitted?

Answer. No, sir; (referring to the pamphlet,) submitted in January, 1865.

Question. Now, look at the date of the report, if you please.

Answer. The date when the report is made out is not stated; but he states that his report is for the year which ends on the 31st of December.

Question. Look at this document and state what it is. (Showing pamphlet to witness.)

Answer. This is the annual report of the chief engineer of the fire department.

Question. Its date, if you please?

Answer. It is given as filed August 22, 1864.

Question. Will you look at the page turned down, engine company No. 12, and state what is reported by the engineer as the number of members of that engine company?

Answer. Forty-six; the present number of men.

Question. Do you know John Gallagher? you made some statements in regard to him.

Answer. John Callaghan. No. With reference to all those names, I don't know in scarcely any case anything more than what I have told you in my testimony, which is derived from this list.

Question. I am not speaking of that list, but of engine company No. 12.

Answer. I don't know any of them personally.

Question. Have you any personal knowledge that they are not entitled to vote from that engine-house?

Answer. None, except the fact that they couldn't be members of that engine company, unless the chief engineer of the fire department has committed an error in sending in his list of the men who are members.

Question. Where is that list?

Answer. In the book which you showed me.

Question. Is that your only information in regard to it?

Answer Yes.

Question. So that your whole information in regard to these names is derived from a comparison between these names here and the names included in this report of the chief engineer?

Answer. Yes, sir.

Question. What, in your judgment, does that comparison, and your not finding the names on that list, prove?

Answer. It proves that they were not members of the fire department on the first of August last.

Question. When was the election?

Answer. The election was on the eighth of November, two months afterwards.

Question. You spoke of a letter from Colonel Foster?

Answer. Yes, sir.

Question. Have you that letter?

Answer. I guess I have it; yes, sir.

Question. Do you know anything with regard to the honorary members of the fire department?

Answer. No; never heard there was such a thing until I heard the question asked.

Question. You don't know whether honorary members of the fire department occasionally bunk in the engine-houses or not, or habitually do so?

Answer. No, sir; I do not.]

Question. You say that Colonel Foster, as I understood you, showed you certain letters which he had obtained; did he tell you how he obtained them?

Answer. He told me he got them by power which he described as being very extensive, which enabled him to issue his subpœna and thereby to obtain any paper which he wanted, under severe penalties by military law.

Question. Is that the polite mode of saying that he took them away by force from persons who were entitled to them?

Answer. I mean to say that in unravelling the Colonel North case, which he was engaged to do, he received this power from some higher military authority, in order that he might get at the truth; and he used it to get those letters, and he obtained a great batch from various democratic politicians to other democratic politicians.

Question. Isn't the real meaning of that that he took them by force?

Answer. If it is taking by force to take them by the influence of subpœna, they were taken by force.

Question. Does a subpœna authorize you to take papers by force?

Answer. It compels them to be brought.

Question. Do you wish it to be understood that when papers are obtained by subpœna, it is allowable to carry them off?

Answer. No, sir.

Question. Wouldn't the taking of papers by that mode be equivalent to the forcible taking of them from the persons enti led to them?

Answer. Yes.

Question. Will you be kind enough to look at that same report of engine company No. 12, and tell me how many of those persons are reported as residing at the engine-house?

Answer. I should think, at a rough guess, there were twenty.

Question. Count them.

Answer, (after computation.) They all reside in the engine-house except seventeen, as I count them.

Question. You say that Foster gave you some information about some illegal votes by a man named Baker; he didn't mention the name; I had the impression it was Baker; have you any knowledge on the subject?

Answer. I think the man that Foster wrote to me about was some other man, because I think Baker had more than thirty or forty votes.

Question. Do you know this man Baker?

Answer. No, sir; I know Colonel Foster had him up before him.

Question. Did you see any of Foster's record of his testimony, or anything other than Foster's statement?

Answer. No, sir; I saw his statement taken by Mr. Warburton, but I gave it to another gentleman to read for me.

Question. Colonel Foster is a violent republican, is he not?

Answer. I presume he is.

Question. How long have you known him?

Answer. Only the time that he came into the office while I was there, and introduced himself as just sent to this city as judge advocate, saying that he came to tell Mr. Dodge that such frauds had been perpetrated in this district.

Question. Where is Colonel Foster now?

Answer. I suppose he is sitting on a court-martial in Philadelphia.

Question. Have you made any attempt to have him here?

Answer. Yes. I have sent to his house three or four times to try to get him here.

Question. What answer did you get?

Answer. It was before his ten days were up, and, judging from the way that rule has been followed, I had no right to suppose that his testimony would be received. I thought I would have an opportunity again besides that. He

came home, but I didn't hear he was at home until the morning of the day when he was to be married; so I didn't like to disturb him then.

Question. He advised the contest in this case?

Answer. Yes, sir.

Question. When did you say that the place for the election was selected in the fifteenth district?

Answer. On the 7th of November.

Question. That is when the polling place was designated; the advertisement of the polling place was published on the day previous to the election?

Answer. Yes; on the 3d of November.

Question. It was published in the same papers in which the notice of those things ordinarily are?

Answer. So I should think.

Question. So that there was no discrimination to the disadvantage of the voters, then?

Answer. No, sir.

Question. Do you know what the actual vote of the fifteenth district is?

Answer. No, sir; only from the fact that it is half of the old twelfth.

Question. You say you know a man named Lederer in the Second avenue?

Answer. Yes, sir; a short acquaintance.

Question. How long was that acquaintance?

Answer. When he came in here and was put on the stand, and wasn't allowed to testify, because his name was misspelt; then I called out and asked him if he would tell me, or one of the young men who were present where he lived, whether he voted and whether he read his ticket. I didn't ask him whether he bet, because there was only one man during this contest who had bet.

Question. That was your only acquaintance with him?

Answer. Yes, sir.

Question. You put him on another list after that?

Answer. Yes.

Question. Has the time on that list expired yet?

Answer. Yes; the time has expired; but we hadn't time enough to put him on, because we had a number of others who were more important.

Question. Do you know whether he is a native-born citizen or not?

Answer. Not except from observation.

Question. You can't tell that by observation?

Answer. I can sometimes—not always.

Question. What is your impression as to such a man as Lederer?

Answer. I can't say, because I forget what impression he made on me. I can't remember how he looked.

Question. What impression does the name make upon you?

Answer. Well, it sounds like a foreign name.

Question. You didn't ask him whether he was naturalized or not?

Answer. No, sir. I asked him only those questions which you heard me ask.

Question. That was your whole examination?

Answer. That was my whole examination. I never saw him again.

Question. Have you subpœnaed or brought here at any time a witness by the name of Barnesdorf?

Answer. I won't be sure. I have either him or a man named Bolrath.

Question. Do you remember a man named Barnesdorf being here?

Answer. I remember there was such a one subpœnaed.

Question. Do you know why he was not examined as a witness?

Answer. It may have been because he was not in time.

Question. Do you remember his being in the room?

Answer. I remember asking if my witnesses were in the room, and they told me they all were.

Question. You don't remember Barnesdorf in particular?

Answer. No, sir; I don't know him by sight.

Question. Who was this man that you sent for by the marshal?

Answer. Patrick Donnelly, junior.

Question. Who was it by whom you sent for that man—he that you spoke of as the marshal?

Answer. I told Mr. Myers to go for him; I don't know whether he went or one of the other men.

Question. Did he go in his official capacity as marshal?

Answer. If he went, he went in that way. I wanted him to be sure and get him.

Question. Did he have any process?

Answer. That's what I couldn't say. I told him to see the commissioner.

Question. To see what commissioner?

Answer. I don't know what his name is.

Question. Do you mean the United States commissioner?

Answer. Yes.

Question. What instructions did you give about his seeing the United States commissioner?

Answer. I told the United States commissioner that it would be necessary perhaps, to use some gentle force to get up our witnesses, because since Mr. Brooks had returned, his influence at home would be felt, and that they would be deterred from appearing, and that if I brought them up they would testify in the wrong way; I concluded that I would make the experiment anyway.

Question. Who was the commissioner?

Answer. I don't know his name; I think it was Mr. Osborne; I told him I should want to get out the warrant in case the subpœnaes were disobeyed.

Question. A warrant for what?

Answer. A warrant on my complaint that they had committed an indictable offence.

Question. Did you direct this marshal to get a warrant on this occasion?

Answer. No; when they told me he was not here, I told them to send Mr. Myers; and if he wouldn't come, to get a warrant out, as he served the subpœna.

Question. Did he have any warrant when he went for this man?

Answer. I guess not; I don't know that he went.

Question. Was this man brought in in the custody of the deputy marshal?

Answer. That is what I don't know.

Question. You don't know whether Myers assumed to arrest him?

Answer. I don't know, only that I told Myers he had better go for him.

Question. You give a long list of parties in the fifteenth district; did you make any of these inquiries yourself?

Answer. No, sir, none at all; the only information that I have was derived from hearsay; from this Mr. Dean and from his affidavit and memorandum which I have in my hand.

Question. You didn't make any inquiry yourself?

Answer. No, sir.

Question. What is Mr. Dean's present occupation?

Answer. A stationer, down in Ann street.

Question. Where does he reside?

Answer. 893 Broadway.

Question. Do you know whether he has ever resided in the fifteenth district of the Eighteenth ward?

Answer. No, he has not.

Question. Anywhere in that neighborhood?

Answer. He has lived over in Second avenue.

Question. When did he reside in Second avenue?

Answer. He resided there last fall, I should say.

Question. You have no reason to suppose that he is particularly familiar with that section of the city?

Answer. No.

Question. And you didn't go with him on any occasion?

Answer. No, sir; he went alone, without any military garb; and never having been a policeman, was a quiet, inoffensive man to look at.

Question. Do you know who went with Mr. Dean in making these inquiries?

Answer. I think he went alone.

Question. What do you know as to the expense of the election to Mr. Dodge?

Answer. Of the gross amount of the expenditure to which he was put for election purposes I have no idea, except that it was very small considering the size of the district.

Question. You have no idea what the amount was?

Answer. No, sir; except that I would be pretty sure that it wasn't $15,000, and wasn't $12,000—wasn't $10,000, I think; I don't think it was as much as $10,000.

Question. Do you know of any particular sum as having been expended yourself?

Answer. Nothing, except an awful printer's bill.

Question. What was the amount of the printer's bill?

Answer. Fifteen hundred and odd dollars.

Question. Do you know any other item of expenditure?

Answer. None, excepting for hiring the Cooper Institute, which we didn't use; we were going to have General Wool and others there, but we concluded not to do it; we had to pay two hundred dollars for that.

Question. You know of no other item?

Answer. Not large amounts, except what I heard testified by Mr. Cowdin.

Question. Did you ever have any communication with anybody in reference to this Barr matter?

Answer. Nothing, except that I was on the executive committee, and used to meet down there, and urged the importance of contributing liberally to Mr. Barr, who was a good sound Union man, because I would rather he would be elected than Mr. Brooks; I urged that strongly.

Question. Was that before the payment to Mr. Barr?

Answer. Yes; I didn't know there had been any payment to him; I guess no one but Cannon and Cowdin knew it, unless I was supposed to know when they said we would take care of it.

Question. In what assemblage was that said?

Answer. No assemblage; only when I saw Mr. Cannon in my office, he said we would make a great mistake if we didn't keep Barr on the track.

Question. You don't expect to be understood as having done that from motives of unmixed philanthropy?

Answer. No, sir; my object was to elect Mr. Dodge, if I could, as being the best Union man. My next object was to elect Mr. Barr in preference to Mr. Brooks. I thought Mr. Dodge would make the strongest run until three or four days before the election—until it was said that all the river districts were going Brooks, and that we were used up unless we could help Mr. Barr.

Question. The river districts are those including the fifteenth district of the Eighteenth ward, and Geoghegan's district?

Answer. Yes, sir.

Question. Do you know if Barr got any money from a republican source?

Answer. No, except the two thousand dollars. That was not enough to a man that had forty-five districts to take care of.

Question. Have you never heard of his receiving anything more?

Answer. No, except when we saw it in such papers as the Leader, it was a joke to ask Mr. Dodge where the $25,000 was.

Question. You don't know definitely of any other sum?

Answer. No; that was all. It wasn't an expensive election at all. We would have made it far more so if we had only known as much as we know now.

Question. Did you meet Mr. Geoghegan up-stairs when those interesting gentlemen, McLaughlin and Coughlin, were there?

Answer. No; I met him first three days before the time we took that testimony. Some one brought him down to my office. He said he had been up there, and that Myers didn't know anything about it anyway; he would give me a list of the persons; nobody knew anything about that district but him and Tracey. Said I, "I will have Tracey up." He says, "You can't, because Mr. Brooks has got him." I asked him, "What will you testify to?" Says he, "To those names." The person who brought him intimated that I mustn't press him, as it wasn't certain that he was on our side; and so I told Mr. Dodge that I thought he was Mr. Brooks s man; he looked like it; and Mr. Dodge said if I put him on, to have another Michael Flynn concern, it would be my responsibility. So I told Mr. Dodge he must take the responsibility. I thought he was a good deal like Michael Flynn.

Question. These rooms up-stairs, where certain interviews are supposed to have been had—will you tell us what they are?

Answer. I never was in but one.

Question. Which one?

Answer. The large one.

Question. What is that?

Answer. It is a school-room—an infant school.

Question. Ever used for any other purpose?

Answer. I guess not, sir.

Question. And the other room—do you know what that is?

Answer. No, sir.

Question. Isn't the smaller room used for church purposes?

Answer. No, sir.

Question. Do you know how the walls are ornamented?

Answer. No, sir; I am pretty short-sighted. I presume that it will be in evidence, because I understood that there was a party here to-day who was very anxious to look at the premises; and I have no doubt that he will testify. He was admitted to the same room that Geoghegan was, but not to the holier precincts.

Question. What compensation has been agreed to be given to any of the witnesses who have appeared here on behalf of the contestant?

Answer. I can't say that we didn't tell them that if they behaved well we would look after them hereafter. I think the only witness to whom I made a definite promise of that kind was Mr. Looram. I gave him to understand, after I learned that he was desirous to be a policeman, that I would use my influence to get him in.

Question. Has that been the only inducement held out?

Answer. That's the only one I have held out.

Question. When you told these parties that if they behaved themselves properly you would look after them, what was to be the future consideration?

Answer. That is only done, not by words, but by the fact that these men in politics expect that the man whom they assist will consider them hereafter as his friends.

Question. Who do you regard as being in that position—as being entitled to expect to be considered as Mr. Dodge's friends?

Answer. I should suppose that all who labored assiduously, and have given up their time, should be compensated in one way or another.

Question. Where they have been as active as Mr. Taylor, what compensation would they be entitled to?

Answer. Mr. Taylor has made no demand; but he has given a good deal of time away from his business. Mr. Burchell, I think, expects nothing.

Question. As between Mr. Myers and Mr. Geoghegan—Mr. Myers giving all this information, and Mr. Geoghegan saying he doesn't know what he is talking about—which do you consider deserves the most?

Answer. Mr. Geoghegan has come so suddenly upon us that we don't know what his expectations are; but inasmuch as he didn't want Mr. Stewart to pay for his liquor, I presume he doesn't want us to pay for his testimony.

Question. What pecuniary sums have been given to any of the witnesses?

Answer. I should think, all told, there might have been some forty or fifty dollars to those men who have given their time to us.

Question. Can you tell me to whom these sums of money were given?

Answer. Well, I have given Major Berryman some compensation for his labors at the time he was engaged in looking through the second district—not paid in full. To Mr. Taylor I have given nothing as yet, nor to Mr. Burchell. To Mr. Hargin I have given some small sums—nothing of large amount: money for shoes, but not for that new suit of clothes that he wears.

Question. Why do you specially allude to that suit of clothes?

Answer. Because Mr. Dodge wanted to know if I gave him that new suit of clothes: I thought I would relieve his mind.

Question. What pecuniary obligations have you incurred—for instance, with regard to Mr. Dean; what is the condition with regard to him?

Answer. Mr. Dean was regularly secured, and expects, probably, the same compensation that he got from Mr. Trow.

Question. What is that?

Answer. I don't know.

Question. What about Mr. Myers?

Answer. Haven't had a word with him, and hadn't, any more than in Mr. Geoghegan's case, made up my mind.

Question. You expect to receive a bill, I suppose, from him, as well as from Mr. Geoghegan?

Answer. I don't think I shall see him again. He didn't labor for us. It is only where men gave up their day-time and gave up their legitimate business to work for us that we expect to pay them.

Question. What is the condition as to Myers?

Answer. Haven't had any agreement with him. Mr. Dodge asked Captain Spaight who would be a good man to find out the names in this district, and he said that Myers knew the district thoroughly, and he sent him up; and we asked him if he could spare the time to make a canvass of this district, and he has been off and on for I don't know how many weeks at it. Berryman stands in the same position, except that I told him that I should pay him for such labors as he performed. Mr. Walker has not had any compensation, and won't get any.

Question. Do you know Mr. Walker well?

Answer. Never knew him until subsequently to the election.

Question. Do you know anything about his reputation and character?

Answer. No; I know that he was called judge, and supposed from that that he had been in the country somewhere.

Question. Do you knew why he came to the city of New York?

Answer. No.

Question. You don't know under what circumstances he came here, or from what part of the country he came?

Answer. No, sir.

MR. BRADY:

Question. Was there any pecuniary obligation with regard to him?

Answer. No pecuniary obligation except in the cases I have mentioned. With regard to Mr. Hargin there is; he gave his time to us.

Question. How long have you known Mr. Hargin?

Answer. I must have seen him very soon after the election, because he knew me very well when I met him some time afterwards.

Question. You don't know his reputation?

Answer. No, sir.

Question. Do you know Orlando H. Stewart, the late assistant district attorney?

Answer. No, sir; I have seen him up in court.

Question. Can you tell us, generally speaking, about what will be the expenses, when you have paid all the expense upon you, of this contest upon the part of Mr. Dodge?

Answer. The principal expense will be to Mr. MacLauchlan [the stenographer] and to his Honor; I don't know what that will be.

Question. What do you suppose will cover the entire amount?

Answer. It will not be very large; I don't know what we will have to pay for the use of the rooms and gas.

WM. WALTER PHELPS.

Attest: JNO. R. BRADY, *J. C. P.*

(Mr. Phelps, counsel for Mr. Dodge, tenders Mr. Las Casas L. Dean, who is present for that purpose, for cross-examination.

Mr. Anthon, counsel for Mr. Brooks, refuses to cross-examine, because there is no direct testimony on which they can cross-examine; and also because the omission of so important a witness from the list of witnesses may with propriety be considered intentional.

The taking of testimony on the part of Mr Dodge is herewith concluded.)

Adjourned.

CITY AND COUNTY OF NEW YORK, *ss:*

L. L. Dean, being duly sworn, says: That he is a stationer, at No. 11 Ann street, of the firm of Dean & Fisk; that when a younger man he had much experience in getting names as a special canvasser for Trow's City Directory; that he was engaged by Mr. Dodge on account of this, or other qualifications, to ascertain how many of the large number of votes polled in this district, namely, the fifteenth district of the Eighteenth ward, at the last November election, were fraudulent, being the votes of imaginary beings, non-residents; that deponent is a man of religious principle, and has most conscientiously and fairly discharged his duty; that he has sought to find these alleged voters by every means in his power, not not to find them; that he prepared lists of the voters in the different streets and avenues, and has spent thirty days, and more, calling from house to house, making thorough inquiry of landlord, agent, the different families occupying different portions of the tenement, and of the children in the street; in a word, availed himself of every means of making his search efficient; that the result of his inquiries was the discovery that one hundred and sixty-three men, at least, who voted on the 8th of November last were not residents of the houses they gave as places of residence; that forty-four (44) men, at

least, gave as residences vacant lots, churches, smitheries, &c., that were not dwelling places; that three men, at least, were at the time of said election dead.

That he has epitomized the result of his laborious search in these pages, being the memoranda he made to refresh his memory when giving testimony. And deponent says he took these names from a certified copy of the poll-list of this district for the last November election; and further deponent saith not.

LAS CASAS L. DEAN.

Subscribed and sworn to before me this 25th day of March, 1865.

WM. H. RIBLET,
Notary Public, corner 3d avenue and 9th street, N. Y.

John Callaghan, 257 East Fourteenth street. Not there; so says E. Walker, the landlord on the premises.

Elich Walner, 247 East Fourteenth street. No dwelling-house; Catholic church from 245 to 249.

Elias J. Conover, 349 East Fourteenth street. No place there for a man to live; ground all occupied by the gas-works.

John McCormack, 259 East Fourteenth street. Not there; inquired through the house; Mrs. Miles Burk knew every occupant, and said no such man lived there, or had.

Owen McCormack, 259 East Fourteenth street. Same as the last.

Andrew Cassidy, 269 East Fourteenth street. No dwelling-house; open lot.

Peter Lanigan, 289 East Fourteenth street. Not there; testimony of Mrs. Ann Quigley and others.

Thomas Hughes, 287 East Fourteenth street. Store and house on corner; empty at time of election, before, and ever since.

Patrick Kerney, 287 East Fourteenth street. Same as last.

Patrick Hart, 287 East Fourteenth street. Same as last.

Bernard McCarty, 299 East Fourteenth street. No man of that name there, says Mr. Blum, the owner, on the spot.

Michael Bocker, 303 East Fourteenth street. Not there, says Mrs. Lynch, who knows all the names in the house; verified by inquiry of others.

William Ocktill, 303 East Fourteenth street. Not there; Mrs. Lynch and others never had heard of him.

Charles Boske, 307 East Fourteenth street. Not there, says Lindegrass, and stated further that he knew the name of every man in this and adjoining houses.

Lawrence Faulke, 501 East Fourteenth street. This man must live on Long Island! 309 is the highest occupied number in the street.

Maty Blume, 189 East Fourteenth street. 189 is not in the district; not a dwelling-house; and Blanchard & Co. never heard of the man.

James Jones, 201 East Fourteenth street. No dwelling; rear of a coal-yard.

Thomas Moore, 203 East Fourteenth street. Same as the last.

William P. Burell, 243 East Fourteenth street. Residence of Father C. A. Farrell; no such man as W. P. Burell there, or ever been there.

Henry Cummings, 254 East Fourteenth street. Not there; Mrs. Cassidy and others are sure there was no man of that name in the house in October or November.

John W. Denis, 255 East Fourteenth street. Not there; Mrs. Finnerty, a person of some intelligence, states so without hesitation; no name there like it.

James Giveney, 307 East Fourteenth street. Not there; children did not know any such man; women on second and third floors were positive he had not lived there this year.

Ignats Sweiesman, 299 East Fourteenth street. Not there; Mr. Blum, owner.

Bernard Dalton, East Fifteenth street, between avenues A and B. Not to be found; has no acquaintances apparently in the neighborhood; don't buy either his potatoes or his liquor in that neighborhood.

Jacob Wievel, 504 East Fifteenth street. No dwelling-house; gas-works; no accommodations for boarders or lodgers.

Henry Welsch, 254 East Fifteenth street. Not there; Max Levi, owner, on the premises.

James Finnerty, 244 East Fifteenth street. No such man there; (Beck;) got the names of every adult in the house; no Finnerty, nor any affinity thereunto.

Thomas Conway, 263 East Fifteenth street. No dwelling—vacant lot.

Amer Williams, 259 East Fifteenth street. Same as last.

Thomas Selotus, 259 East Fifteenth street. Vacant lot; occupied only by goats.

Henry Rey, 281 East Fifteenth street. No such Rey there; inquired all round; I set him down as a raider.

Henry Schooler, 257 East Fifteenth street. The present number 257 is a shop and stable unoccupied by human voters; he is not at the old number.

Charles Boydan, 255 East Fifteenth street. Not there; my information is from Mr. Kelley, the landlord, and others.

Patrick McMahon, 255 East Fifteenth street. Same as last.

Michael Hanagan, 255 East Fifteenth street. Same as McMahon, above.

Arthur Monagan, 650 East Fifteenth street. Not there—no dwelling—gas-works. (Probably the ghost of a former squatter on the site of the gas-works.)

Richard Bedtywith, 303 East Fifteenth street. No dwelling; gas-works again; gone long ago, and his bed, too, with him.

John Giverney, 281 East Fifteenth street. People in the house say he has not lived there; not within the memory of the oldest occupant.

Henry Mahoney, 253 East Fifteenth street. Mrs. Boyle has lived there six years, and says he has not been there in that time.

John Yancey, 253 East Fifteenth street. Same as the last.

Richard Offeld, 253 East Fifteenth street. Same as the last. Mrs. Boyle and others could not recall any names like Yancey, Offeld, or Mahoney as living there.

John McRatek, 251 East Fifteenth street. Mr. Kelly, landlord, never heard of such a man. Not there in November, sure.

James McCarnard, 249 East Fifteenth street. Two votes cast in November for this name and number. Mary Miner and others in the house say not there.

James McCarnard, 249 East Fifteenth street. Same as last.

Thomas McCarnard, 249 East Fifteenth street. Same as last. No McCarnard in the house, and occupants had no knowledge of any persons of the name.

Bartho Buffely, 249 East Fifteenth street. Mary Miner and others in the house never heard of him.

James Duffy, 258 East Fifteenth street. Charlotte McHugh, an intelligent young woman living at 258, was not afraid to give her testimony that no John Duffy was there.

Charles Sands, 247 East Fifteenth street. Not there. Mrs. Kennedy and others (including children in the hall-way) did not know any such person.

John Frey, 241 East Fifteenth street. Numbers 241 to 245, inclusive, are a Catholic school-house. Nobody lives there; closed at night. John Frey not known there.

John Malloy, 256 East Fifteenth street. Went through the house; John Malloy don't belong there; occupants don't know him.

Joseph Alcoln, 249 East Fifteenth street. Same as last.

John Hock, 269 East Fifteenth street. Inquired carefully, as usual, and could learn nothing of John Hock.

Thomas Clonan, 257 East Fifteenth street. Shop and stable on this lot; no lodging for a human being. A neighbor said there might have been a horse of that name there, but no such man was known.

Owen P. Clark, 259 East Fifteenth street. No such number in the dis trict. The old number is part of an open lot, with stone-yards, &c.

William Kain, 259 East Sixteenth street. Same as last.

John McCalidan, 261 East Sixteenth street. Same as last.

Patrick Gilligan, 273 East Sixteenth street. Same as last.

James Breardan, 549 East Sixteenth street. Not there; inquired tho roughly.

Hugh McGarvey, Sixteenth street. Could not get a scent of him. Must be one of the floating population. Floated to the poll in November, and immediately floated away again.

William Hubert, 551 East Sixteenth street. Inquired and could not find him. Occupants did not know him. Not a tenant of 551.

Andrew Carty, 551 East Sixteenth street. Same as last.

William Ritzger, 253 East Sixteenth street. No No. 253 in the district. The old number is an open lot.

Patrick McKeon, 251 East Sixteenth street. Same as last. Stone-yards.

James Gallagher, 547 East Sixteenth street. Inquired through the house, as usual. Not there.

James Kasen, 547 East Sixteenth street. Same as last.

John Hagan, 545 East Sixteenth street; Thomas Dugan, 545 East Sixteenth street; Mortimer O'Conner, 545 East Sixteenth street. These three men are in the same predicament with James Kasan. They have names, but no local habitation, in this district. Nobody knows them at 545 East Sixteenth street.

Thomas Duffey, 543 East Sixteenth street. Inquired carefully; not there.

Thomas Hogan, 543 East Sixteenth street. Not there; had gone to Morrisania to live more than a month previous to the election.

Thomas Donnelly, 541 East Sixteenth street. Made careful inquiry; no Donnelly in the house.

Timothy Sullivan, 541 East Sixteenth street. Mrs. Patrick Sullivan says there has never been any Tim. Sullivan in that house. Corroborated, as usual, by others.

Edward Birmingham, 535 East Sixteenth street. Not there; the occupants were all named over to me.

David Ray, 519 East Sixteenth street. No such man about there. Mr. Davis is my chief informant.

Patrick Coughfinburger, 511 East Sixteenth street. No Irishman or Dutchman of that name is known to any of the occupants of the house, they told me.

Alonzo Stickner, 507 East Sixteenth street. Not there. The landlady told me the names of all the occupants. She had lived there twelve months.

William Rurke, 507 East Sixteenth street. Same as last.

George Hyland, 507 East Sixteenth street Same as last.

Henry Wotenburger, 505 East Sixteenth street. No such man there, says Mrs. Zietter, wife of the owner, on the premises.

John Wildey, 505 East Sixteenth street. Same as last.

Edward Kelley, 173 East Sixteenth street. No such number in the district.

Patrick Murphy, 255 East Sixteenth street. No. 255 not in the district. The old number is an open lot—stone-yard.

William Britton, 177 East Sixteenth street. Don't live there; and if he *had*, couldn't have voted in this district. No. 177 not in the district.

James Zines, (or Ziner,) 517 East Sixteenth street. Not there; made due inquiry.

Michael Hank, 511 East Sixteenth street. Not there; several intelligent occupants of the house say so.

John Zeigler, 505 East Sixteenth street. No such man there in November last; inquired carefully.

Timothy Glandon, 530 East Sixteenth street. No dwelling-house—open lot. The last previous occupied number is 524.

James Carr, 580 East Sixteenth street. Same as Timothy Glandon.

James Crane, 610 East Sixteenth street.

Peter Eltens, 610 East Sixteenth street. Do not live there, on positive information of Mrs. Kennedy and others on the spot.

Patrick Nevin, 612 East Sixteenth street. Don't live there; per James Trainor, on the premises.

John Finegan, 612 East Sixteenth street. Same as last.

Thomas Farrell, 646 East Sixteenth street. Not there; inquired closely.

John McNally, 650 East Sixteenth street. Not there; inquired carefully of Monahan and others, occupants.

Daniel Manning, 254 East Sixteenth street. No such number in the district. Old number, vacant lot.

John Bowan, 524 East Sixteenth street. Inquired carefully; not there.

Bernard McCorner, 520 East Sixteenth street. Mr. Timms, the landlord, says not there, and don't know him.

Patrick O'Rourk, 220 East Sixteenth street. Number not in the district.

Michael Muller, 262 East Sixteenth street. 262 is not in the district. The old number is a vacant lot.

Joseph Rurke, (or Burke,) 518 East Sixteenth street. Not there; never lived there. So says Timms, the landlord.

Patrick Gough, 518 East Sixteenth street. Same as the last.

Philip McDermot, 516 East Sixteenth street. No trace of him on careful inquiry.

John Madden, 516 East Sixteenth street. Same as last.

Michael Somers, 516 East Sixteenth street. Same as last.

Patrick Walling, 514 East Sixteenth street. Don't live there, says Garvin, the landlord, who said he would know him if he was anywhere about there. He didn't know such a man.

William McKerney, 514 East Sixteenth street. Same as last.

Richard Framley, 514 East Sixteenth street. Same as last.

Thomas Farrell, 512 East Sixteenth street. Not there, says lessor and agent, on the premises.

Francis Cussick, 210 East Sixteenth street. No such number in district. (Error. See Michael Hickey, 510 East Sixteenth street.)

James Coldus, 524 East Sixteenth street. Occupants know him, but he does not live there; did live there some time previous to November, 1864.

Michael Hickey, 510 East Sixteenth street. Not there, says landlady at number 508, and also parties in the house.

Michael Griffin, 508 East Sixteenth street. Intelligent women in the house say he never more than called there, and that he lives down town, and always claimed to live there.

Thomas Kernan, 508 East Sixteenth street. Occupants and landlady say that one Kernan lived there two years ago, but none lived there since.

Patrick Kernan, 512 East Sixteenth street. Landlord and others say he don't live there, and they don't know him.

Stephen McIntire, 646 East Sixteenth street. Made close inquiry; not there.

Francis Ward, 646 East Sixteenth street. Same as last.

Patrick Hagan, 516 East Sixteenth street. Occupants state positively no such man lived there within their recollection.

John Finn, 512 East Sixteenth street. Not there; inquired as usual of more than one person in the house.

John Honneline, 512 East Sixteenth street. Same as John Finn.

John Keim, 222½ East Seventeenth street. No half number as pretended, and John Keim is not at No. 222.

Thomas Dempsey, 511 East Seventeenth street. No dwelling house; factories and vacant lots.

Peter Way, 209 East Seventeenth street. Not there; so state the people in the house.

Robert Ressler, 225 East Seventeenth street. Made careful inquiry and did not unearth him; not there.

John Wensteer, 227 East Seventeenth street. Same as last.

C. H. Wentworth, (not counted,) 229 East Seventeenth street. Mrs. A. C. Wentworth, an American lady, at No. 229, says there was no C. H. Wentworth there in November last.

Robert Walker, 241 East Seventeenth street. No dwelling-house; foundry, &c., from 233 to 243, inclusive.

John Decker, 245 East Seventeenth street. Vacant lots from 245 to 251.

Francis Thorn, (or Horn,) 553 East Seventeenth street. No place there for him to live; ground occupied by factories and vacancy.

William Coughley, 253 East Seventeenth street. Not there; made due inquiry.

Francis McNiff, 229 East Seventeenth street. Same as last.

Thomas Collier, 253 East Seventeenth street. Not there; made due inquiry.

Thomas Carney, 243 avenue B. Two Thomas Carneys voted from this number; only one lives there. I have this from several of the tenants.

Emil Hene, 279 avenue B. Tenants say he don't live there.

James White, 283 avenue B. No such man there on usual inquiry through the house.

Patrick Donnelly, 283 avenue B. On second inquiry found he had been dead six months. His children are there.

Michael Fowler, 210 avenue B. No. 210 is not in the district; it is below Thirteenth street. District fifteen includes only the upper side of Fourteenth street.

John Gaynor, 280 avenue B. Don't live there; moved to Connecticut months ago.

Thomas Hastings, avenue C, between Fifteenth and Sixteenth streets. Made inquiry; could not find him; don't live on that block, certain.

John Hoy, 249 avenue B. Don't live there; made due inquiry.

Michael Renford, 239 avenue B. Same as last.

Thomas Keisman, 241 avenue B. Same as last.

Peter Brithaueser, 241 avenue B. Same as last.

Andrew Finin, 241 avenue B. Same as last.

James McCarman, avenue B, between Fifteenth and Sixteenth streets. Tried to find him and couldn't. Found a name similar in the Directory as living at No. 241, but couldn't find the man to whom the name belonged.

Thomas Henry, 243 avenue B. Dead of typhus fever before July last, say several occupants.

Charles Bosdis, 245 avenue B. Tenants say he don't live there; don't know him in the house.

John Londigan, 247 avenue B. Same as Bosdis.

Henry Smith, 237 avenue B. 237 is not in the district, and not in existence; 239 is the lowest number, and just before that they jump from 227 on the corner below.

Arthur C. Henry, 245 avenue B. Thomas Henry's family is there, and say there has never been any Arthur C. Henry in the house, and they don't know such a man.

John Costello, 245 avenue B. The tenants say he don't live there.

Thomas Igo, 203 avenue B. 203 not in district; it is below Thirteenth street.

Thomas Bain, 251 avenue B. Not there; tenants don't know him.

Edward Burns, 257 avenue B. There is a Mrs. Burns there who agreed with others there was no Edward Burns living in the house.

Bernard Callihan, 251 avenue B. Michael Callihan there, but no Bernard; saw Michael himself.

Patrick Mooney, 255 avenue B. Tenants say positively no such man lives there or has lived there.

Gebhard Osintinger, 253 avenue B. Don't live there; tenants don't know him; inquired particularly.

Bernard Herrick, 253 avenue B. Same as last.

John Trainor, 253 avenue B. Same as Herrick.

John Curran, (or Carran,) 255 avenue B. Not there; tenants don't know him.

James Dolan, 255 avenue B. Don't live there; has no friends there.

Nicholas Clark, 257 avenue B. Tenants say he don't live there.

James Nalley, 273 avenue B. Same as the last.

Christopher Hene, 279 avenue B. Same as the last.

Hugh Ruston, 266 avenue B. Same as the last.

Owen Clark, 266 avenue B. Same as the last.

Daniel Dailey, 266 avenue B. Same as the last.

Owen Burns, 266 avenue B. Same as the last.

John Besstick, 242 avenue B. No house on lot No. 242; Directory said Besstick, 246 avenue B, but on inquiry I failed to find him.

William Fitzpatrick, 248 avenue B. No such man around there; made due inquiry as usual.

John Reilley, 254 avenue B. No such house. He is not in the house which ought to be No. 254.

Christopher Gundle, 266 avenue B. Don't live there, say the tenants.

Owen McCarty, 266 avenue B. Gone from there six months, say the tenants.

Michael Raat, 264 avenue B. Don't live there; inquired through.

James Pinkerton, 264 avenue B. No such man in the house; tenants don't think he ever lived there.

Denis Garvin, 268 avenue B. Same as Pinkerton.

Denis McCullough, 281 avenue B. Same as Garvin.

Patrick Callaghan, 281 avenue B. Same as McCullough.

Thomas Finnerland, 281 avenue B. Same as Callaghan.

Alexander Henyer, 242 avenue B. Vacant lots from 240 to 244.

David Willson, 240 avenue B. Vacant lot. No. 238 is an empty house; been so for months before election.

Hugh McKeon, 240 avenue B. Same as David Willson.

Frederick Geis, 236 avenue B. The house is not in the district, and Geis is not in the house.

Thomas Webb, 246 avenue B. Webb don't live there; tenants don't know him.

Michael J. Rielery, 242 avenue A. Not there; don't know him. There used to be a "Riley" there, who moved to Thirty-second street before election.

Conrad Guss, 274 avenue A. 274 not in the district.

Andrew Karll, 226 avenue A. No such man at 226 avenue A. Tenants don't know him.

William Kannon, 210 avenue A. Don't live there. Whalen, the landlord, says so.

Michael Afpalerty, 236 avenue A. Don't live there; so say several tenants who know all in the house.

Francis Hieg (or Theg?) 208½ avenue A. Dr. Schubert, at No. 208½, states that no such man now or has been living there.

John Kilieber, 238 avenue A. The tenants say he does not live there and never lived there.

Frederick Yonniker, 244 avenue A. Inquired particularly, as usual. The nearest thing I found was a boy, "Kernochan," of the age of sixteen.

Charles Copler, 212 avenue A. Inquired as usual, with similar result—don't live there.

Louis Frank, 204 avenue A Was informed positively in John G. Annan's liquor store, at No. 204, that no such man had lived there.

William Lander, 232 avenue A. Tenants say he never lived there.

Abram Propts, 212 avenue A. Landlady and others told me he did not live there, and had not.

August Swerleger, 214 avenue A. Tenants say no such man is there.

John F. Hughbill, 214 avenue A. Don't live there; inquired in the house.

John Gladd, 214 avenue A. Don't live there; inquired carefully.

Joseph Farewell, 214 avenue A. Don't live there; made due inquiry.

Ballyar Segler, 216 avenue A. Not there; tenants never heard of him before, nor has anybody else, I think.

John Sandshauser, 216 avenue A. Not there; nobody there knows him.

Patrick Dengler, 224 avenue A. No such Irish gentleman there; tenants don't know whom it means.

Frederick Turnleger, 220 avenue A. No such man there; tenants don't know him.

Patrick Bonman, 222 avenue A. No such man there; inquired with the customary carefulness.

John Bowan, 222 avenue A. No Bowan there, either; so say folks in the house, who claim to know.

Adam Rur, 230 avenue A. Tenants at 230 told me he never lived there, and they had never heard of him.

John Spaulding, 234 avenue A. No Spaulding there, and passed out of the memory of the occupants if he ever was there.

Henry McKermons, 234 avenue A. Don't live there; so I was informed by Mr. Sanger, on the premises; he said he knew all the tenants.

Patrick Welsh, 234 avenue A. Same as McKermons.

James Barry, 242 avenue A. Don't live there, if the landlord tells the truth; my information is from him and the children, in the hall-way.

Clemens B. Dusslow, 210 avenue A. No such voter there, says Mr. Whelan, the landlord, and others.

Charles H. Naugh, 244 avenue A. Don't live there, and never been heard of there, say the tenants.

Gustavus L. Goetz, 214 avenue A. Lives in Washington, D. C., with his wife; has lived there for a year or two.

CITY AND COUNTY OF NEW YORK, *ss.:*

On this 7th day of February, 1865, personally came before me Patrick Smith, residing at No. 249 East Eighteenth street, who, being duly sworn, deposes and says: That Lieutenant Jeremiah Kelly, of the 17th New York volunteers, went to the army of the Cumberland and obtained from the men in

the army a travelling bag full of soldiers' votes; that the same were brought on to this city by the said Kelly, and over two hundred of the said votes were deposited in the ballot-boxes in the eighth congressional district, without any reference to the soldiers hailing from or residing in said eighth district; and that the said Kelly boasted in the presence of this deponent that but one ballot was lost, and that Mr. Brooks knew how much good said two hundred votes did him, the said Brooks; and further this deponent saith not.

PATRICK SMITH.

Sworn to before me, this 7th day of February, 1865.

PIERRE W. WILDER,
Notary Public, New York County.

NEW YORK, *March* 2, 1865.

I voted for William E. Dodge for Congress at the polls, corner of Thirty-first street and Second avenue, in November last, and resided at No. 223 East Thirtieth street. Am obliged to leave town to-day, and for this reason make this statement.

P. OSCAR C. BENSON, *M. D.*

Attest: JNO. R. BRADY.

Poll-list for the third district of the Twenty-first ward—election held 8th day of November, A. D. 1864.

[Attested by Judge Brady.]

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	Michael Leary	248 E. 32d	1	1	1	1	1	1	1
	Samuel Frazier	242 E. 32d	1	1	1	1	1	1	1
	Moses M. Bradley	212 E. 32d	1	1	1	1	1	1	1
	John H. McManus	231 E 30th	1	1	1	1	1	1	1
	Joe Ledever	553 2d ave	1	1	1	1	1	1	1
	J. M. Olmsted	246 E. 32d	1	1	1	1	1	1	1
	Jacob Rombard	118 31st	1	1	1	1	1	1	1
	Wm N. Burch	220 32d	1	1	1	1	1	1	1
	G. H. Webb	421 3d ave	--	1	1	1	1	1	1
	R. B. Catherwood	313 30th	1	1	1	1	1	1	1
	Frac. Hoffman	429 3d ave	1	1	1	1	1	1	1
	Jas. Lee	174 31st	1	1	1	1	1	1	1
	Barney Gorman	155 31st	1	1	1	1	1	1	1
	James Lee	174 31st	1	1	1	-----	-----	1	1
	Wm. Matthews	Soldier's vote	1	1	-----	-----	-----	--	--
	Thomas Scollon	245 30th	1	1	1	1	1	1	1
	John Clank	558 2d ave	1	1	1	1	1	1	1
	C. Callihan	491 2d ave	1	1	1	1	1	1	1
	Geo. Vie	153 31st	1	1	1	1	1	1	1
	Wm. B. Putnam	153 31st	1	1	1	1	1	1	1
Aff't	Wm. Watts	125 31st	1	1	1	1	1	1	1
	Ed. Breen	559 2d ave	1	1	1	1	1	1	1
	Pat. Hastings	240 32d	1	1	1	1	1	1	1
	S. F. Sherwood	554 2d ave	1	1	1	1	1	1	1
	Robt. Kerr	240 32d	1	1	1	1	1	1	1
	Barney Corse	216 32d	1	1	1	1	1	1	1
	Wm. G W. Wilson	151 31st	1	1	1	1	1	1	1
	John Tully	150 31st	1	1	1	1	1	1	1
	Wm. Gorman	174 31st	1	1	1	1	1	1	1
Aff't.	James Bemvie	310 32d	1	1	1	1	-----	1	1
	B. Dunierne	310 32d	1	1	1	1	1	1	1
	Peter Brady	Soldiers' vote	1	1	-----	1	-----	1	1
	Robt P. Duncan	243 31st	1	1	1	1	1	1	1
	John Leach	180 31st	1	1	1	1	1	1	1
	John Murray	159 31st	1	1	1	1	1	1	1
	John Meehan	151 31st	1	1	1	-----	1	1	1
	Robert F. Dennison	156 31st	1	1	1	1	1	1	1
	Thos. M. Waker	239 E. 30th	1	1	1	1	1	1	1
	Tissod Fuchs	567 2d ave	1	1	1	1	1	1	1
	William Frichs	567 2d ave	1	1	1	1	1	1	1
	Thomas Dyer	159 31st	--	-----	-----	-----	-----	--	--
	John M. Barny	544 2d ave	1	1	1	1	1	1	1
	Wm. Schaeffer	495 2d ave	1	1	1	1	1	1	1
	Thomas Mickson	156 31st	1	1	1	1	1	1	1
	John Perry	164 31st	1	1	1	1	1	1	1
	Wm. Grogham	152 32d	1	1	1	1	1	1	1
	Charles Dusenberry	132 31st	1	1	1	1	1	1	1
	Terence Delany	162 31st	1	-----	1	1	1	1	1
	Thomas Duyer	----------	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2	Congress. No 2	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	Dan. S. Bryant	118 32d	1	1	1	1	1	1	1
	John Seen	242 32d	1	1	1	1	1	1	1
	Lewis Patterson	186 31st	1	1	-----	1	1	1	1
	Francis McCabe	527 2d ave	1	1	1	1	1	1	1
	William Coulter	171 31st	1	1	1	1	1	1	1
	H. Brown	176 31st	1	1	1	1	1	1	1
	Job Dorset	170 31st	1	1	1	1	1	1	1
	John D. Barns	579 2d ave	1	1	1	1	1	1	1
	Thos. Henry	245 30th	1	1	1	1	1	1	1
	Henry McLaughlin	166 31st	1	1	-----	1	1	1	1
	Albert Partridge	431 3d ave	1	1	1	1	1	1	1
	Henry Fredericks	302 31st	1	1	1	1	1	1	1
	Anthony Extmann	581 2d ave	1	1	1	1	1	1	1
	Pat. Curry	566 2d ave	1	1	1	1	1	1	1
	J. M. Holden	568 2d ave	1	1	1	1	1	1	1
	Philip Smith	433 3d ave	1	1	1	1	-----	1	1
Aff't	John Carland	129 31st	1	1	1	1	1	1	1
	L. D. Hay	223 31st	1	1	1	1	1	1	1
	Thomas O'Brien	308 32d	1	1	1	1	1	1	1
	Francis Markey	570 2d ave	1	1	1	-----	1	--	1
	T. Cox	218 32d	1	1	1	-----	-----	--	--
	S. O'Brien	437 3d ave	1	1	1	1	1	1	--
	August May	114 31st	1	1	1	1	1	1	1
	John McLaughlin	150 32d	1	1	-----	1	1	1	1
	John H. Rolmtile	149 31st	1	1	1	1	1	1	1
	James Hampden	439 3d ave	1	1	-----	-----	-----	1	1
	Francis Schoop	192 31st	1	1	1	1	1	1	1
	N. T. Wilson	149 31st	1	1	1	1	1	1	1
	Farrell Dougherty	145 32d	1	1	1	-----	1	1	1
	John Wood	248 32d	1	1	-----	-----	1	1	1
	John Donnelly	164 31st	1	1	1	1	1	1	1
	Alex. Clinch	570 2d ave	1	1	-----	-----	1	1	1
	John O'Donnell	566 2d ave	1	1	-----	1	1	1	1
	D. M. Cipperly	565 2d ave	1	1	1	1	1	1	1
	James Gilmer	166 E. 31st	1	1	1	1	1	1	1
	James Smith	308 32d	1	1	1	-----	1	1	1
	John Brown	533 1st ave	1	1	1	-----	1	1	1
	Francis Burke	577 2d ave	1	1	1	1	1	1	1
	James McBride	328 32d	1	1	1	1	1	1	1
	Charles H. Bell	309 30th	1	1	1	1	1	1	1
	Ed. Clark	184 31st	1	1	1	1	1	1	1
	John F. Petrie	103 31st	1	1	1	1	-----	1	1
Aff't	Joseph H. Franklin	144 31st	1	1	1	1	1	1	1
	Silas Baldwin	319 30th	1	1	1	1	1	1	1
	John Sexton	144 2d ave	1	1	1	1	1	1	1
	Nat. Burchell	150 31st	1	1	1	1	1	1	1
	Jas. Keegan	243 31st	1	1	1	1	1	1	1
	Jas. French	217 31st	1	1	1	1	1	1	1
	H. C. Ferguson	Soldier's vote	1	1	-----	-----	-----	--	--
	John Dougherty	241 E. 32d	1	1	1	1	1	1	1
	James Hynes	192 31st	1	1	1	1	1	1	1
	Francis Duncan	243 30th	1	1	1	1	1	1	1
	Fred. M. Fletcher	541 2d ave	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
Aff't.	John M. Clark		1	1	1	1	1	1	1
	John Hart	316 32d	1	1	1	1	1	1	1
	Dominick Minely	116 31st	1	1	1	1	1	1	1
	Philip Fisher	182 32d	1	1	-----	1	1	1	1
	Ed. L. Taylor	116 31st	1	1	1	1	1	1	1
	Harrison Wilson	150 32d	1	1	1	1	1	1	1
	John Mellows	549 2d ave	1	1	1	1	1	1	1
	Charles Taylor	116 31st	1	1	1	1	1	1	1
	W. M. Taylor	116 31st	1	1	1	1	1	1	1
	John Borhn	551 2d ave	--	-----	-----	-----	-----	--	--
	Thomas Reilley	151 31st	1	1	1	1	1	1	1
	Ed. Freeman	151 31st	1	1	1	1	1	1	1
	Jas. Reilley	157 31st	1	1	1	1	1	1	1
	John R. Feeney	154 31st	1	1	1	1	1	1	1
	Ed. B. Thompson	249 30th	1	1	1	1	1	1	1
	James Fagen	149 31st	1	1	1	1	1	1	1
	Barney McQueen	311 32d	1	1	1	1	1	1	1
	Moses Sour	141 31st	1	1	1	1	1	1	1
	B. Multer	316 32d	1	1	1	1	1	1	1
	M. Murray	159 31st	1	1	1	1	1	1	1
	George Mushaver	137 31st	1	1	1	1	1	1	1
	Joel Nelson	127 31st	1	1	1	1	1	1	1
	George Seales	557 2d ave	1	1	1	1	1	1	1
	Thomas McQuire	164 31st	1	1	1	-----	1	1	1
	John Malia	164 31st	1	1	1	-----	1	1	1
	John Salmun	186 31st	1	1	1	-----	1	1	1
	Pat Hughes	164 31st	1	1	1	1	1	1	1
	T. Myer	304 32d	1	1	1	1	1	1	1
	B. Smith	308 32d	1	1	1	1	1	1	1
	A. Matthews	133 31st	1	1	1	1	1	1	1
	O. Fisby	313 30th	1	1	1	1	1	1	1
	J. C. Jones	315 30th	1	1	1	1	1	1	1
	J. B. F. Brady	238 32d	1	1	1	1	1	1	1
	B. E. Valentine	136 31st	1	1	1	1	1	1	1
	Pat. Davier	154 31st	1	1	1	1	1	1	1
	B. McLaughlin	318 32d	1	1	1	1	1	1	1
	H. H. Edenger	126 31st	1	1	1	1	1	1	1
	J. C. Gaillard	118 31st	1	1	1	1	1	1	1
	Jno. Garner	336 32d	1	1	1	1	1	1	1
	Wm. Gerry	227 31st	1	1	1	1	1	1	1
	Wm. Gurney, jr	227 31st	1	1	1	1	1	1	1
	John Bowe	576 2d ave	1	1	1	1	1	1	1
	Rob't Bartow	557 2d ave	1	1	1	1	1	1	1
	Dan. Buckle	346 32d	1	1	1	1	1	1	1
	Wm. F. Geis	133 E. 31st	1	1	1	1	1	1	--
	E. A. Caster	573 2d ave	1	1	1	1	1	1	1
	Anthony Kleber	439 3d ave	1	1	1	-----	1	1	1
Aff't.	John E. Maycock	241 E. 30th	1	1	1	1	1	1	1
	Jerry Costello	194 31st	1	1	1	1	1	1	1
	Julius Lassam	488½ 2d ave	1	1	1	1	1	1	1
	William Carr	190 31st	1	1	1	-----	1	1	1
	J. W. Haddock	431 3d ave	1	1	1	1	1	1	1
Aff't.	Benjamin O. Harris	437 3d ave	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	Owen Daily	312 3d ave	1	1	1	1	1	1	1
	W. L. Demerast	429 3d ave	1	1	1	1	1	1	1
	Morton Lake	429 3d ave	1	1	1	1	1	1	1
	Dan. D. Lake	429 3d ave	1	1	1	1	1	1	1
	J. H. Wormsley	429 3d ave	1	1	1	1	1	1	1
	R. D. Elaney	192 31st	1	1	1	1	1	1	1
	J. S. Wormward	216 32d	1	1	1	1	1	1	1
	M. Walsh	178 31st	1	1	1	1	1	1	1
	Philip Genty	433 3d ave	1	1	1	1	1	1	1
	Charles Chamberlaiu	137 31st	1	1	1	1	1	1	1
	James Wylie	439 3d ave	1	1	1	1	1	1	1
	Smith Thompson	223 30th	1	1	1	1	1	1	1
	H. N. Fistre	255 30th	1	1	1	1	1	1	1
	John P. Ryan	186 31st	1	1	1	1	1	1	1
	William J. Gannan	157 31st	1	1	1	1	1	1	1
	Herman Henies	563 2d ave	1	1	1	1	1	1	1
	John B. Winslow	157 31st	1	1	1	1	1	1	1
	And. J. Cobby	157 33d	1	1	1	1	1	1	1
	L. H. Laber	149 31st	1	1	1	1	1	1	1
	John W. Martin	552 — ave	1	1	1	1	1	1	1
	Thomas Laber	149 31st	1	1	1	1	1	1	1
	William Welsh	427 3d ave	1	1	1	1	1	1	1
	Dan. Kelly	575 2d ave	1	1	1	1	1	1	1
	Owen O'Neill	332 32d	1	1	1	1	1	1	1
Aff't.	A. H. Long	143 31st	1	1	1	1	1	1	1
	R. M. Martin	143 31st	1	1	1	1	1	1	1
	Jacob Meyer	117 31st	1	1	1	1	1	1	1
	R. G. Hatfield	225 32d	1	1	1	1	1	1	--
	Thomas Jennings	244 32d	1	1	1	1	1	1	1
	Thomas Leip	171 31st	1	1	1	1	1	1	1
	R. O. C. Benson	223 30th	1	1	1	1	1	1	1
	John Renney	541 1st ave	1	1	1	1	1	1	1
	William Ledwick	152 32d	1	1	1	1	1	1	1
	John Murray	566 2d ave	1	1	1	1	1	1	1
	C. H. Welsh	Soldier's vote	1	1	----	----	1	1	1
	Joseph Gerry	318 32d	1	1	1	1	1	1	1
	William Graham	247 30th	1	1	1	1	1	1	1
	J. C. Ryan	425 3d ave	1	1	1	1	1	1	1
	James Kelly	162 31st	1	1	1	1	1	1	1
	Pat. Donnelly	162 31st	1	1	1	1	1	1	1
	Jerry Mahony	153 30th	1	1	1	1	1	1	1
	John Peters	Metropolitan Garden	--	1	1	----	----	--	1
	J. M. Philips	219 30th	1	1	1	1	1	1	1
	Edwin Convoy	307 30th	1	1	1	1	1	1	1
	Matherem Ludlow	160 31st	1	1	1	1	1	1	--
	Hugh O. Reiley	350 37th	1	1	1	1	1	1	1
	Pat. Murray	566 2d ave	1	1	1	1	1	1	1
	Martin Corrigen	543 1st ave	--	----	----	----	----	--	--
Aff't.	John Moore	543 1st ave	1	1	1	1	1	1	1
	J. B. Townsend	121 31st	1	1	1	1	1	1	1
Aff't.	A. McMullen	441 3d ave	1	1	1	1	1	1	1
	William Wood	128 31st	1	1	1	1	1	1	1
	W. H. S. Wood	128 31st	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No 5.	Judiciary. No. 8.	Supervisor.	City and county.
	Levi Hadden	380 30th, sold's vote	1	1	-----	-----	-----	--	--
	William H. Russell	139 31st	1	1	1	1	1	1	1
	William H. Russell, jr	139 31st	1	1	1	1	1	1	1
	J. G. Watkins	Soldier's vote	1	-----	-----	-----	-----	--	--
Aff't.	Francis Damar	557 2d ave	1	1	1	1	1	1	1
	E. Moser	229 30th	1	1	1	1	1	1	1
	K. Horan	576 2d ave	1	1	1	1	1	1	1
	P. Daley	531 1st ave	1	1	1	1	1	1	1
	J. J. Gavin	156 31st	1	1	1	1	-----	1	1
	M. Gavin	Soldier's vote	1	1	-----	-----	1	1	1
	M. Brady	155 31st	1	1	1	1	1	1	1
	John Finnegan	500 2d ave	1	1	1	1	1	1	1
	Hugh Blessing	144 31st	1	1	1	1	1	1	1
Aff't.	Theodore Bulham	146 31st	1	1	1	1	1	1	1
	Dan. Fullar	180 31st	1	1	1	1	1	1	1
	Pat. Reilley	245 31st	1	1	1	1	1	1	1
	John Ryan	533 1st ave	1	1	1	1	1	1	1
	Frank Ackerman	182 31st	1	1	1	1	1	1	1
	Christopher Dunn	133 31st	1	1	1	1	1	1	1
	Thomas McNeill	158 31st	1	1	1	1	1	1	1
	George Hat	230 32d	1	1	1	1	1	1	1
	John W. Hat	230 32d	1	1	1	1	1	1	1
	Henry G. Weston	— 31st	1	1	1	-----	1	--	1
	Charles E. Lefferts	317 30th	1	1	1	1	1	1	1
	J. G. Upton	321 30th	1	1	1	1	1	1	1
	M. C. Heull	238 32d	1	1	1	1	1	1	1
	Adam Hampton	130 31st	1	1	1	1	1	1	1
	Thomas Sulkin	324 32d	1	1	1	-----	1	1	1
	Luke O'Reilley	324 32d	1	1	-----	-----	1	1	1
	A. C. Demis	234 32d	1	1	1	1	1	1	1
	Mich. Sherman	541 1st ave	1	1	1	1	1	1	1
	Matt. Geny	569 2d ave	1	1	1	1	1	1	1
	Thomas McKern	180 31st	1	1	1	1	1	1	1
	Obadiah Davis	549 2d ave	1	1	1	1	1	1	1
	Robert Nixon	566 2d ave	1	1	1	1	-----	1	1
	Hugh Buckley	194 31st	1	1	1	1	1	1	1
	Bryan King	539 1st ave	1	1	1	-----	1	1	1
	Samuel Atler	124 31st	1	1	1	1	1	1	1
	Arthur Connor	166 31st	1	1	1	-----	1	1	1
	John McManus	236 32d	1	1	1	1	1	1	1
	Thomas N. Gibson	303 31st	1	1	1	1	1	1	1
	Henry Fallon	326 32d	1	1	1	-----	1	1	1
	Robert Cozzen	248 32d	1	1	1	1	1	1	1
	Edward Fitzpatrick	192 31st	1	1	1	1	1	1	1
	Cornelius Conway	320 32d	1	1	1	1	1	1	1
	Edward Doran	537 1st ave	1	1	1	1	1	1	1
	M. Graham	837 1st ave	1	1	1	1	1	1	1
	John Taylor	149 31st	1	1	1	1	1	1	1
	J. C. Tommy	160 31st	1	1	1	1	1	1	1
	Michael Blackley	160 31st	1	1	1	1	1	1	1
	John Lombard	135 31st	1	1	1	1	1	1	1
	Peter Blanch	155 31st	1	1	1	1	1	1	1
	James McKerney	182 32d	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor	City and county.
	James McKenna	245 30th	1	1	-----	1	-----	1	1
	John Donnahue	427 3d ave	1	1	1	1	1	1	1
	James McGunsback	247 30th	1	1	1	1	1	1	1
	Robert Ray	217 30th	1	1	1	1	1	1	1
	Frank Phelan	164 31st	1	1	1	1	1	1	1
	John Broderick	180 31st	1	1	1	1	1	1	1
	George Matthews	Soldier's vote	1	1	1	-----	1	1	1
	John McGowen	113 31st	1	1	1	1	1	1	1
	Francis Gorman	173 31st	1	1	1	1	1	1	1
	James Gorman	188 31st	1	1	1	1	1	1	1
	Charles Hiedman	433 3d ave	1	1	1	1	1	1	1
	Mick. Curry	182 31st	1	1	1	1	1	1	1
	John Berryan	186 31st	1	1	1	1	1	1	1
	Pat. Fitzsimmons	564 2d ave	1	1	1	1	1	1	1
	Peter Freeley	Soldier's vote	1	1	-----	-----	-----	--	--
	John Barrett	Soldier's vote	1	1	1	-----	-----	1	1
	Mick. Leemey	Soldier's vote	1	1	-----	-----	-----	--	--
	Jerry Corcoran	Soldier's vote	1	1	-----	-----	1	1	1
	Pat. Hurley	572 2d ave	1	1	1	-----	1	1	1
	M. S. Murk	131 33d	1	1	1	1	1	1	1
	Michael O'Niel	572 2d ave	1	1	1	1	1	1	1
	Thomas Dillen	324 32d	1	1	1	1	1	1	1
	Bernard McGuire, jr.	316 32d	1	1	1	1	1	1	1
	John Dalton	162 31st	1	1	1	1	1	1	1
	William Higgins	423 3d ave	1	1	1	1	1	1	1
	John Matthews	427 3d ave	1	1	1	1	1	1	--
	Francis Hagen	354 32d	1	1	1	1	1	1	1
	Pat. Hollihan	386 32d	1	1	1	1	1	1	1
	James Quinn	318 32d	1	1	1	1	1	1	1
	John Meeks	316 32d	1	1	1	1	1	1	1
	William Heurd	247 30th	1	1	1	1	1	1	1
	George Lintyer	549 2d ave	1	1	1	1	1	1	1
	Alfred Spink	548 2d ave	1	1	1	1	1	1	1
	Pat. Renniken	152 31st	1	1	1	1	1	1	1
Aff't..	Pat. Bagan	152 31st	1	1	1	1	1	1	1
	William Minnihan	211 32d	1	1	1	1	1	1	1
	George Stark	433 3d ave	1	1	1	1	1	1	1
	C. V. Clarkson	245 30th	1	1	1	1	1	1	1
	Robert Nevens	581 2d ave	1	1	1	1	1	1	1
	James Laraden	158 31st	1	1	1	1	1	1	1
	James Conivans	566 2d ave	1	1	1	1	1	1	1
	Edward Levenay	160 31st	1	1	1	1	1	1	1
	James Mullaby	318 32d	1	1	1	1	1	1	1
	Fred. Monngwary	549 2d ave	1	1	1	1	1	1	1
	Patrick Garry	318 32d	1	1	1	1	1	1	1
	James Coogan	-----	--	-----	-----	-----	-----	--	--
	Pat. Egan	560 2d ave	1	1	1	1	1	1	1
	Michael Garvin	333 30th	1	1	1	1	1	1	1
	John Cahan	558 2d ave	1	1	1	1	1	1	1
	James Laiss	182 31st	1	1	1	1	1	1	1
	J. O. Donis	150 30th	1	1	1	1	1	1	1
Aff't..	Robert Gill	501 2d ave	1	1	1	1	1	1	1
	Henry Maxwell	181 31st	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	John Harvey	172 32d	1	1	1	1	1	1	1
	Tim. Connelly	184 31st	1	1	1	1	1	1	1
	E. D. Bangs	306 32d	1	1	1	1	1	1	1
	C. H. Brigman	162 31st	1	1	1	1	1	1	1
	Brickon Dickon	145 31st	1	1	1	1	1	1	1
	Abner B. Cosa	433 3d ave	1	1	1	1	1	1	1
	Owen Clark	494 2d ave	1	1	1	1	1	1	1
	James Montgomery	149 31st	--	-----	-----	-----	-----	--	--
	Peter Campbell	554 2d ave	1	1	1	1	1	1	1
	James Kennedy	111 31st	1	1	1	1	1	1	1
	Andrew Moran	316 32d	1	1	1	1	1	1	1
	Pat. Donnelly	162 31st	1	1	1	1	1	1	1
	Russell Myers	415 3d ave	1	1	1	-----	1	1	1
	Patrick Hessinger	579 2d ave	1	1	1	1	1	1	1
	Michael Cullen	245 31st	1	1	1	1	1	1	1
	G. H. Heillion	228 32d	1	1	1	1	1	1	1
	J. S. Chappell	138 31st	1	1	1	1	-----	1	1
	Peter Kennell	554 2d ave	1	1	1	1	1	1	1
	Francis Harman	544 32d	1	1	-----	-----	1	1	1
	Wm. Conquest	Soldier's vote	1	1	1	1	1	1	1
	A. G. Haven	42 31st	1	1	1	1	1	1	1
	Pat. Hart	556 2d ave	1	1	1	1	1	1	1
	Chas. A. Parker	142 31st	1	1	1	1	1	1	1
	Henry Kumberlain	551 2d ave	1	1	1	1	1	1	1
	Michael Matthuem	168 31st	1	1	1	1	1	1	1
	Lawrence Farley	308 32d	1	1	1	1	1	1	1
	John Manning	529 1st ave	1	1	1	1	1	1	1
	A. D. Durrell	151 31st	1	1	1	1	1	1	1
	Lawrence Farley, jr	248 32d	1	1	1	1	1	1	1
	Thomas Beatty	498 2d ave	1	1	1	1	1	1	1
	Henry Betty	533 1st ave	1	1	1	1	1	1	1
	Henry Sullivan	529 1st ave	1	1	1	1	1	1	1
	Francis Brahan	162 31st	1	1	1	1	1	1	1
	Pat. McGowen	562 2d ave	1	1	1	1	1	1	1
	John H. Barnsdorf	159 31st	1	1	1	1	1	1	1
	Pat. Chanery	564 2d ave	1	1	1	1	1	1	1
	M. Flagahan	546 2d ave	1	1	1	1	1	1	1
	George Wider	503 2d ave	1	1	1	1	1	1	1
	Thomas Strip	503 2d ave	1	1	1	1	1	1	1
	Denis Dickey	533 1st ave	1	1	1	1	1	1	1
	Pat. Learey	328 32d	1	1	1	1	1	1	1
	John Smidt	551 2d ave	1	1	1	1	1	1	1
	Chas. H. Thurster	571 2d ave	1	1	1	1	1	1	1
	John D. Sullivan	147 31st	1	1	1	1	1	1	1
	J. W. Hill	173 31st	1	1	1	1	1	1	1
	Wm. Fitzpatrick	535 1st ave	1	1	1	1	1	1	1
	Pat. McNalley	543 1st ave	1	1	1	1	1	1	1
	Thomas Higgins	510 2d ave	1	1	1	-----	1	1	1
	Thomas Bennett	553 2d ave	1	1	1	1	1	1	1
	Pat. McMullin	338 32d	1	1	1	1	1	1	1
	M. J. Cavinagh	340 32d	1	1	1	1	1	1	1
	Michael Meigher	168 31st	1	1	1	1	1	1	1
	James R. Mayson	156 31st	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	James Dean	154 31st	1	1	1	1	1	1	1
	C. M. Rifle	565 2d ave	1	1	1	1	1	1	1
	Patrick McCabe	186 31st	1	1	1	1	1	1	1
	G. N. Nicker	239 30th	1	1	1	1	1	1	1
	Philip Squintz	431 3d ave	1	1	1	1	1	1	1
	Chas. E. Clark	134 31st	1	1	1	1	1	1	1
	William Young	415 3d ave	1	1	1	1	1	1	1
	T. W. Kenny	184 31st	1	1	1	1	1	1	1
	B. Monaghan	161 31st	1	1	1	1	-----	1	1
	J. H. Rymers	439 3d ave	1	1	1	1	1	1	1
	J. Adbin	160 31st	1	1	1	1	1	1	1
	T. B. Wheeler	156 31st	1	1	1	1	1	1	1
	C. W. Leverege, jr	217 23d	1	1	1	1	1	1	1
	J. McDormitt	169 31st	1	1	1	1	1	1	1
	Michael Ryan	184 31st	1	1	1	1	1	1	1
	Francis Reynolds	158 31st	1	1	1	1	1	1	1
	John Rorel	184 31st	1	1	1	1	1	1	1
	Thomas Roach	164 —st	1	1	1	1	1	1	1
	John Ferris	219 30th	1	1	1	1	1	1	1
	Hugh Minnck	549 2d ave	1	1	1	-----	1	1	1
	Thomas Berry	149 31st	1	1	1	1	1	1	1
	Thomas Quinlan	566 2d ave	1	1	1	1	1	1	1
	Robert Rodin	160 31st	1	1	1	1	1	1	1
	R. H. Kelty	565 2d ave	1	1	1	1	1	1	1
	John Haines	555 2d ave	1	1	1	1	1	1	1
	John Hutton	578 2d ave	1	1	1	1	1	1	1
	Edward Hartley	32d st. and 1st ave	1	1	-----	1	-----	1	--
	Henry Wheelan	555 1st ave	1	1	1	1	1	1	1
	James Norton	316 32d	1	1	1	1	1	1	1
	William Woods	173 31st	1	1	1	1	1	1	1
	Robert Mahey	554 2d ave	--	1	1	1	1	1	1
	James Dennis	234 E. 32d	1	1	1	1	1	1	1
	Wm. H. Tracy	148 31st	1	1	1	1	1	1	1
	John Heamy	245 30th	1	1	1	1	1	1	1
	D. McGoldsdorff	162 31st	1	1	1	1	1	1	1
	Robert Oerr	122 31st	1	1	1	1	1	1	1
	Robert Ebling	441 3d ave	1	1	1	1	1	1	1
	James Mooney	453 31st	1	1	1	-----	1	1	1
	Francis Smith	166 31st	1	1	1	1	1	1	1
Aff't	John Fitzgibbons	474 2d ave	1	1	1	1	1	1	1
	John H. Hederickson	155 31st	1	1	1	1	1	1	1
	Richard Coff	186 31st	1	1	1	1	1	1	1
	Thomas A. Hart	556 2d ave	1	1	1	1	1	1	1
	Francis McMillan	338 32d	1	1	1	1	1	1	1
	John Gibney	565 2d ave	1	1	1	1	1	1	1
	James McLenney	178 31st	1	1	1	-----	-----	1	1
	James McGuire	572 2d ave	1	1	1	1	1	1	1
	Philip Bord	242 33d	1	1	1	1	1	1	1
	John Cullen	247 30th	1	1	1	1	1	1	1
	Alex. Scott	154 31st	1	1	1	1	1	1	1
	B. J. Donnelly	437 3d ave	1	1	1	1	1	1	1
	J. F. Kiernan	541 1st ave	1	1	1	1	1	1	1
Aff't	Joseph Kuch	224 32d	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5	Judiciary. No. 8	Supervisor.	City and county.
Aff't.	Patrick Farmer	147 30th	1	1	1	1	1	1	1
	John Livingston	180 31st	1	1	1	1	1	1	1
	J. W. Harens	142 31st	1	1	1	1	1	1	1
	John H. Roy	441 3d ave	1	1	1	1	1	1	1
	J. B. Hendrickson	155 31st	1	1	-----	-----	-----	--	1
	Fred. Little	433 2d ave	1	1	1	1	1	1	1
	George R Tamball	222 32d	1	1	1	1	1	1	1
	John Donling	306 32d	1	1	1	1	1	1	1
	Lawrence Corning	334 32d	1	1	1	1	1	1	1
Aff't.	Peter McGrath	198 31st	--	-----	-----	-----	-----	--	--
	Pat. Welsh	502 2d ave	1	1	1	1	1	1	1
	Hugh Kelly	340 32d	1	1	-----	1	1	1	1
	John Glennor	316 32d	1	1	1	1	1	1	1
	Edward G. Conn	Soldier's vote	1	1	-----	-----	-----	--	--
	Adolph Linscarner	131 E. 31st	1	1	1	1	1	1	1
	Michael Whittey	184 31st	1	1	1	1	1	1	1
	Matthew Whelan	238 32d	1	1	1	1	1	1	1
	John Jackson	309 30th	1	1	1	1	1	1	1
	Pat. Clancey	159 31st	1	1	1	1	1	1	1
	Stephen R. Pinckney	323 30th	1	1	1	1	1	1	1
	Henry Deming	528 2d ave	1	1	1	1	1	1	1
	James Balmer	550 2d ave	1	1	1	1	-----	1	1
	Charles Ashenfelter	246 32d	1	1	1	1	1	1	1
	A. J. Hutcherson	144 33d	1	1	1	1	1	1	1
	John Perdue	308 32d	1	1	1	-----	1	1	1
	Edwin Hyman	547 2d ave	1	1	1	1	1	1	1
Aff't.	J. Little	543 2d ave	1	1	1	1	1	1	1
	Pat. Rechill	190 31st	1	1	1	1	1	1	1
	Thomas Casey	542 2d ave	1	1	1	1	1	1	1
	Sam'l G. Collins	Soldier's vote	1	1	-----	-----	1	1	1
	John Cullen	529 1st ave	1	1	1	-----	7	1	1
	John Fagan	188 31st	1	1	1	1	1	1	1
	Fred. Neess	433 3d ave	1	1	1	1	1	1	1
	Francis J. Mertz	579 2d ave	1	1	1	1	1	1	1
	John K. Brigman	163 31st	1	1	1	1	1	1	1
	C. Parker	437 3d ave	1	1	1	1	1	1	1
	John Edler	437 3d ave	1	1	1	1	1	1	1
Aff't.	John Miller	153 31st	1	1	1	1	1	1	1
	William A. Sherwood	535 1st ave	1	1	1	1	1	1	1
	Thomas Fitzgerald	543 2d ave	1	1	1	1	1	1	1
	Michael Darky	537 1st ave	1	1	1	1	1	1	1
	Geo. Fitzgerald	543 2d ave	1	1	1	1	1	1	1
	Ed. Rushmore	135 31st	1	7	1	1	1	1	1
	John Azier	559 2d ave	1	1	1	1	1	1	1
	John Miller	549 2d ave	1	1	1	-----	-----	--	--
	John Morgan	537 3d ave	1	1	1	1	1	1	1
	W. F. Robertson	435 3d ave	1	1	1	1	1	1	1
	Chas. A. Stoddard	111 31st	1	1	1	1	1	1	1
	Michael Lee	155 31st	1	1	1	1	1	1	1
	Dan. McNally	134 31st	1	1	1	1	1	1	1
	Thomas Dormey	342 32d	1	1	1	1	1	1	1
	James Gilmore	245 31st	1	1	1	1	1	1	1
Aff't.	John Cass	160 31st	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State.	Congress.	Assembly.	Judiciary.	Supervisor	City and county.
				No. 2.	No. 3.	No. 5.	No. 8.		
	James Coogan	579 2d ave	1	1	1	1	1	1	1
	John Ryan, jr	155 E 31st	1	1	1	1	1	1	1
	John W. Owen	346 32d	1	1	1	1	1	1	1
	Rob't Reed	164 31st	1	1	1	1	1	1	1
	Jacob Kerchoff	31st and 1st ave	1	1	1	1	1	1	1
	Adam Kerchoff	Soldier's vote	1	1	1	1	1	1	1
	James McDermott	334 32d	1	1	1	1	1	1	1
	James Lindon	522 2d ave	1	1	1	1	1	1	1
	James O'Brien	162 31st	1	1	1	1	1	1	1
	Peter Smith	344 32d	1	1	1	1	1	1	1
	Henry Wicker	389 30th	1	1	1	1	1	1	1
	A. J. Westerville	319 30th	1	1	1	1	1	1	1
	Michael Brennett	318 32d	1	1	1	1	1	1	1
	Henry Riddle	219 30th	1	1	1	1	1	1	1
	Bernard Rauft	524 2d ave	1	1	1	1	1	1	1
	Pat. Connolly	545 2d ave	1	1	1	1	1	1	1
	Thomas McLaughlin	535 1st ave	1	1	1	1	1	1	1
	John L. Martha	561 2d ave	1	1	1	1	1	1	1
	Hugh Brady	559 2d ave, soldier's v.	1	1	-----	1	----	1	1
	Edward Devlin	176 31st	1	1	1	1	1	1	1
	J. C. Doyle	169 31st	1	1	1	1	1	1	1
	John Campbell	Soldier's vote	1	1	-----	-----	-----	--	--
Aff't	A. Fetherson	340 32d	1	1	1	1	1	1	1
	M. Hawley	535 1st ave	1	1	1	1	1	1	1
	M. Conner	352 32d	1	1	1	1	1	1	1
	M. Ryan	153 31st	1	1	1	-----	1	1	1
	John Finnegan	318 32d	1	1	1	1	1	1	1
	F. J. Ferris	544 2d ave	1	-----	1	-----	1	1	1
	John Broderick	149 31st	1	1	1	1	1	7	1
	Pat. Deans	154 31st	1	1	1	1	1	1	1
	Geo. G. Hoffman	-----	--	-----	-----	-----	-----	--	--
	E. Heggins	543 2d ave	1	1	1	1	1	1	1
	Pat. Kinsley	160 31st	1	1	1	1	1	1	1
	Lawrence Corbett	155 31st	1	1	1	1	1	1	1
	Charles W. Dowling	Seaman	1	-----	-----	-----	-----	--	--
	George E Hawkins	Seaman	1	-----	-----	-----	-----	--	--
	Charles Watts	Seaman	1	-----	-----	-----	-----	--	--
	G. Q House	304 32d	1	1	1	1	1	1	1
	William Needham	31 stand 1st ave	1	1	1	1	1	1	1
	Joseph Leach	224 32d	1	1	1	1	1	1	1
	W. E. Waring	311 30th	1	1	1	1	1	1	1
	Pat. Sherry	539 2d ave	1	1	1	-----	1	1	1
	Henry B. Fenn	245 30th	1	1	1	1	1	1	1
	Hen. Coach	558 2d ave	1	1	1	1	1	1	1
	Mike Flynn	576 2d ave	1	1	1	1	1	1	1
	Peter Asterra	208 32d	1	1	1	1	1	1	1
	Pat. Dinby	531 1st ave	1	1	1	1	1	1	1
	John M. Hyde	158 31st	1	1	1	1	1	1	1
	C. Fonknell	219 31st	1	1	1	-----	1	1	1
	John H. Hampden	— 3d ave	1	1	1	1	1	1	1
	Andrew E. Taylor	206 32d	1	1	1	1	1	1	1
	John Byrnes	Soldier's vote	1	1	1	1	1	1	1
	M. McKenna	186 31st	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	James H. Ash	481 2d ave	1	1	1	1	1	1	1
	James Larkin	529 1st ave	1	1	1	1	1	1	1
	James Galispie	158 31st	1	1	1	-----	1	1	1
	John Laws	160 31st	1	1	1	1	1	1	1
	John Colbert	439 3d ave	1	1	1	1	1	1	1
	James Maycock	241 30th	1	1	1	1	1	1	1
	Mike Warney	322 32d	1	1	1	1	1	1	1
	Joseph Robintile	149 31st	1	1	1	1	1	1	1
	Patsey Keegan	342 32d	1	1	1	1	1	1	1
	James Curry	166 31st	1	1	1	1	1	1	1
	William Conrey	332 32d	1	1	1	1	1	1	1
	Gustavus Hauffman	314 32d	1	-----	-----	-----	-----	--	--
	William Grey	160 31st	1	1	1	1	1	1	1
	Benj. Ashley	160 31st	1	1	1	1	1	1	1
	B. Westlienneo	144½ 31st	1	1	-----	-----	-----	--	--
	William Neutral	247 30th	1	1	1	1	1	1	1
	George Hyde	158 31st	1	1	1	-----	1	1	1
	John Ryan, sr	153 31st	1	1	1	-----	1	1	1
	John J. Kenny	Soldier's vote	1	1	-----	-----	1	1	1
	Sam. Hannison	314 31st	1	1	1	-----	1	1	1
	James Sherman	152 31st	1	1	1	-----	1	1	1
	Lawrence McCraskey	571 1st ave	1	1	1	-----	1	1	1
	Mat. S. Ewin	180½ 32d	1	1	1	1	1	1	1
	Hugh Vaughan	156 31st	1	1	1	1	1	1	1
Aff't.	Barnard Muretta	157 31st	1	1	1	1	1	1	1
	M. Lechilas	221 30th	1	-----	1	1	1	1	1
	M. P. Sullivan	569 2d ave	1	1	1	1	1	1	1
	James Irvin Cormesky	— 2d ave	--	-----	-----	-----	-----	--	--
	German Buxton	Metropolitan Gardens	1	1	1	-----	1	1	1
	Mat. T. Irvin, sr	186½ 32d	1	1	1	1	1	1	1
	Benjaman Savage	171 31st	1	1	1	1	1	1	1
	Mat. Fox	578 2d ave	1	1	1	1	1	1	1
	John Calhoun	555 2d ave	1	1	1	1	1	1	1
	John O'Brien	531 1st ave	1	1	1	1	1	1	1
	Horace Henricks	Soldier's vote	1	1	1	1	1	1	1
	Dan. Gallispie	162 31st	1	1	1	1	1	1	1
	John McDermott	188 31st	1	1	1	-----	1	--	--
	Hiram Ridder	153 31st	1	1	1	1	1	1	1
	Godfrey Vannest	— 30th	1	1	1	1	1	1	1
	John Dempsey	113 31st	1	1	1	1	1	1	1
	James M. Boyle	219 30th	1	1	-----	-----	-----	--	--
	James Harley	155 31st	1	1	1	-----	1	1	1
	John Irving	246 32d	1	1	1	1	1	1	1
	Peter Corcoran	568 2d ave	1	1	1	1	1	1	1
	John Muldoon	186 31st	1	1	1	-----	1	1	1
	Pat. Ward	529 1st ave	1	1	1	1	1	1	1
	Pat. Mellaly	118 32d	--	-----	-----	-----	-----	--	--
	Barnard Smith	527 1st ave	1	1	1	1	1	1	1
	William Shaffenberg	152 32d	--	1	1	1	1	1	1
	John Reilley	586 2d ave	1	1	1	1	1	1	1
	John Morser	229 30th	1	1	1	1	1	1	1
	John Dennin	578 2d ave	1	1	1	1	1	1	1
	Edward Matthews	296 E. 32d	1	1	1	-----	-----	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	William Boyer	504 2d ave	1	1	1	1	1	1	1
	Pat. McKenna	245 30th	1	1	-----	1	1	1	1
	Ed. Burk	328 32d	1	1	1	-----	1	1	1
	John McGuire	561 2d ave	1	1	1	-----	1	1	1
	Hugh Clark	186 31st	1	1	1	1	1	1	1
	James Candor	569 2d ave	1	1	1	1	1	1	1
	Mike McGuinness	328 32d	1	1	1	1	1	1	1
	Pat. Mullaly	Soldier's vote	1	1	1	-----	-----	--	--
	John Hallihan	551 2d ave	1	1	1	1	1	1	1
	Nesbit Long	Soldier's vote	1	1	1	1	1	1	1
	Pat. Gormley	Seaman	1	-----	-----	-----	-----	--	--
	Francis Bradley	Seaman	1	-----	-----	-----	-----	--	--

A copy. WM. C. CONNER, *Clerk.*

Poll-list for the fifteenth district of the Eighteenth ward—election held the eighth day of November, A. D. 1864.

[Attested by Judge Brady.]

Oaths.	Names and voters	Residence.	President.	State. No. 2	Congress. No. 3	Assembly. No. 5	Judiciary. No. 8.	Supervisor.	City and county.
	Peter Rodgers	255 E. 15th	1	1	1	1	1	1	1
	Louis Hullich	513 E. 16th	1	1	1	1	1	1	1
	Lawrence Duffin	256 E. 15th	1	1	1	1	1	1	1
	John McCollough	257 E. 17th	1	1	1	1	1	1	1
	Lawrence Saigler	222 ave. A	1	1	1	1	1	1	1
	Matthew Brady	297 E. 14th	1	1	1	1	1	1	1
	Baltzer Seglar	216 ave. A	1	1	1	1	1	1	1
	William Patterson	257 ave. B	1	1	1	1	1	1	1
	James Green	Cor of ave. C and 15th	1	1	1	1	1	1	1
	James Finerty	244 E. 15th	1	1	1	1	1	1	1
	Michael Long	216 ave. A	1	1	1	1	1	1	1
	Patrick McClowny	299	--	-----	-----	-----	-----	--	--
	John Merkle	216 ave. A	1	1	1	1	1	1	1
	Conrad Kenebec	214 ave. A	1	1	1	1	1	1	1
	Paulins Bemhold	505 E. 16th	1	1	1	1	1	1	1
	Michael Burke	259 E. 14th	1	1	1	1	1	1	1
	Thomas McBride	218 ave. A	1	1	1	1	1	1	1
	Thomas Morse	203 E. 14th	1	1	1	1	1	1	1

Poll-list of the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Judiciary. No. 5.	Legislature. No. 8.	Supervisor.	City and county.
Aff't	Edward McClellan	275 E. 17th	1	1	1	1	1	1	1
	Michael McDermott								
	Ignatz Swisman	299 E. 14th	1	1	1	1	1	1	1
	James Foley	505 E. 16th	1	1	1	1	1	1	1
	George Peterson	277 ave. B	1	1	1	1	1	1	1
	James Barry	242 ave. A	1	1	1	1	1	1	1
	John Giveny	281 E. 15th	1	1	1	1	1	1	1
	Christian Mitchell	222 ave. A	1	1	1	1	1	1	1
	Thomas Hastings								
	Patrick McNamara	212 ave. A	1	1	1	1	1	1	1
	Thomas McGovern	246 ave. B	1	1	1	1	1	1	1
	Thomas Igo	203 ave, B	1	1	1	1	1	1	1
	Patrick McKern	257 E. 16th	1	1	1	1	1	1	1
	David Wilson	240 ave. B	1	1			1	1	1
	Michael Lyons	551 E. 16th	1	1	1	1	1	1	1
	Thomas Dunn	554 E. 16th	1	1	1	1	1	1	1
	John Allen	257 E. 14th	1	1	1	1	1	1	1
	Thomas Webb	246 ave. B	1	1	1	1	1	1	1
	Patrick McCormick	247 ave. B	1	1	1	1	1	1	1
	John Mead	305 ave. B	1	1	1	1	1	1	1
	John Costello	245 ave. B	1	1	1	1	1	1	1
	James McConman	Bet. 15th and 16th, ave. B	1	1	1	1	1	1	1
	Peter Harrigan	289 E 14th	1	1		1	1	1	1
	John McRoick	251 E. 15th	1	1	1	1	1	1	1
	Milo Hastings	271 ave. B	1	1	1	1	1	1	1
	Charles Werth	254 E. 15th	1	1	1	1	1	1	1
	Jeremiah F. Kennedy	610 E. 16th	1	1	1	1	1	1	1
	Morris Cann	Cor ave. B and 15th	1	1	1	1	1	1	1
	James Gallagher	547 E. 16th	1	1	1	1	1	1	1
Aff't	Joseph Farwell	214 ave A	1	1	1	1	1	1	1
	Patrick Donigan	305 14th	1	1		1	1	1	1
	Michael Farming	234 ave. A	1	1	1	1	1	1	1
	Theodore Reichold	230 ave. A	1	1	1	1	1	1	1
	Patrick Blake	281 ave. B	1	1	1	1	1	1	1
	Andrew Cassady	269 14th	1	1	1	1	1	1	1
	Thomas Collier	253 17th	1		1			1	
	Patrick Britt								
	James Duffy	258 15th	1	1	1	1	1	1	1
	Patrick Minn	249 15th	1	1	1	1	1	1	1
	Thomas Kernan	508 16th	1	1	1	1	1	1	1
	John McManus	509 16th	1	1	1	1		1	1
	Jacob Wierle	504 15th	1	1	1	1	1	1	1
	Patrick Denyler	224 ave. A	1	1	1	1	1	1	1
	Frederick Jonniker	244 ave. A	1	1	1	1	1	1	1
	John G. Heinslemann	224 ave. A	1	1	1	1	1	1	1
	William Shilling	224 ave. A	1	1	1	1	1	1	1
	Thomas Conghlan	255 15th	1	1	1	1	1	1	1
	Andrew Baker	259 14th	1	1	1	1	1	1	1
	Charles Binder	259 14th	1	1	1	1	1	1	1
	Michael Mullin	262 16th	1	1	1	1	1	1	1
	William Loomis	259 14th	1	1	1	1	1	1	1
	Thomas O'Neill	214 ave. A	1	1	1	1	1	1	1
	Martin O'Conner	545 16th	1	1	1	1	1	1	1

Poll-list of the third district of the Twenty-first ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	William Boyer	504 2d ave	1	1	1	1	1	1	1
	Pat. McKenna	245 30th	1	1	-----	1	1	1	1
	Ed. Burk	328 32d	1	1	1	-----	1	1	1
	John McGuire	561 2d ave	1	1	1	-----	1	1	1
	Hugh Clark	186 31st	1	1	1	1	1	1	1
	James Candor	569 2d ave	1	1	1	1	1	1	1
	Mike McGuinness	328 32d	1	1	1	1	1	1	1
	Pat. Mullaly	Soldier's vote	1	1	1	-----	-----	--	--
	John Hallihan	551 2d ave	1	1	1	1	1	1	1
	Nesbit Long	Soldier's vote	1	1	1	1	1	1	1
	Pat. Gormley	Seaman	1	-----	-----	-----	-----	--	--
	Francis Bradley	Seaman	1	-----	-----	-----	-----	--	--

A copy. WM. C. CONNER, *Clerk.*

Poll-list for the fifteenth district of the Eighteenth ward—election held the eighth day of November, A. D. 1864.

[Attested by Judge Brady.]

Oaths.	Names and voters	Residence.	President.	State. No. 2	Congress. No. 3	Assembly. No. 5	Judiciary. No. 8.	Supervisor.	City and county.
	Peter Rodgers	255 E. 15th	1	1	1	1	1	1	1
	Louis Hullich	513 E. 16th	1	1	1	1	1	1	1
	Lawrence Duffin	256 E. 15th	1	1	1	1	1	1	1
	John McCollough	257 E. 17th	1	1	1	1	1	1	1
	Lawrence Saigler	222 ave. A	1	1	1	1	1	1	1
	Matthew Brady	297 E. 14th	1	1	1	1	1	1	1
	Baltzer Seglar	216 ave. A	1	1	1	1	1	1	1
	William Patterson	257 ave. B	1	1	1	1	1	1	1
	James Green	Cor of ave. C and 15th	1	1	1	1	1	1	1
	James Finerty	244 E. 15th	1	1	1	1	1	1	1
	Michael Long	216 ave. A	1	1	1	1	1	1	1
	Patrick McClowny	299	--	-----	-----	-----	-----	--	--
	John Merkle	216 ave. A	1	1	1	1	1	1	1
	Conrad Kenebec	214 ave. A	1	1	1	1	1	1	1
	Paulins Bemhold	505 E. 16th	1	1	1	1	1	1	1
	Michael Burke	259 E. 14th	1	1	1	1	1	1	1
	Thomas McBride	218 ave. A	1	1	1	1	1	1	1
	Thomas Morse	203 E. 14th	1	1	1	1	1	1	1

Poll-list of the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Judiciary. No. 5.	Legislature. No. 8.	Supervisor.	City and county.
Aff't	Edward McClellan	275 E. 17th	1	1	1	1	1	1	1
	Michael McDermott								
	Ignatz Swisman	299 E. 14th	1	1	1	1	1	1	1
	James Foley	505 E. 16th	1	1	1	1	1	1	1
	George Peterson	277 ave. B	1	1	1	1	1	1	1
	James Barry	242 ave. A	1	1	1	1	1	1	1
	John Giveny	281 E. 15th	1	1	1	1	1	1	1
	Christian Mitchell	222 ave. A	1	1	1	1	1	1	1
	Thomas Hastings								
	Patrick McNamara	212 ave. A	1	1	1	1	1	1	1
	Thomas McGovern	246 ave. B	1	1	1	1	1	1	1
	Thomas Igo	203 ave, B	1	1	1	1	1	1	1
	Patrick McKern	257 E. 16th	1	1	1	1	1	1	1
	David Wilson	240 ave. B	1	1			1	1	1
	Michael Lyons	551 E. 16th	1	1	1	1	1	1	1
	Thomas Dunn	554 E. 16th	1	1	1	1	1	1	1
	John Allen	257 E. 14th	1	1	1	1	1	1	1
	Thomas Webb	246 ave. B	1	1	1	1	1	1	1
	Patrick McCormick	247 ave. B	1	1	1	1	1	1	1
	John Mead	305 ave. B	1	1	1	1	1	1	1
	John Costelio	245 ave. B	1	1	1	1	1	1	1
	James McConman	Bet. 15th and 16th, ave. B	1	1	1	1	1	1	1
	Peter Harrigan	289 E 14th	1	1		1	1	1	1
	John McRorck	251 E. 15th	1	1	1	1	1	1	1
	Milo Hastings	271 ave. B	1	1	1	1	1	1	1
	Charles Werth	254 E. 15th	1	1	1	1	1	1	1
	Jeremiah F. Kennedy	610 E. 16th	1	1	1	1	1	1	1
	Morris Cann	Cor ave. B and 15th	1	1	1	1	1	1	1
	James Gallagher	547 E. 16th	1	1	1	1	1	1	1
Aff't	Joseph Farwell	214 ave A	1	1	1	1	1	1	1
	Patrick Donigan	305 14th	1	1		1	1	1	1
	Michael Farming	234 ave. A	1	1	1	1	1	1	1
	Theodore Reichold	230 ave. A	1	1	1	1	1	1	1
	Patrick Blake	281 ave. B	1	1	1	1	1	1	1
	Andrew Cassady	269 14th	1	1	1	1	1	1	1
	Thomas Collier	253 17th	1		1			1	
	Patrick Britt								
	James Duffy	258 15th	1	1	1	1	1	1	1
	Patrick Minn	249 15th	1	1	1	1	1	1	1
	Thomas Kernan	508 16th	1	1	1	1	1	1	1
	John McManus	509 16th	1	1	1	1		1	1
	Jacob Wierle	504 15th	1	1	1	1	1	1	1
	Patrick Denyler	224 ave. A	1	1	1	1	1	1	1
	Frederick Jonniker	244 ave. A	1	1	1	1	1	1	1
	John G. Heinslemann	224 ave. A	1	1	1	1	1	1	1
	William Shilling	224 ave. A	1	1	1	1	1	1	1
	Thomas Conghlan	255 15th	1	1	1	1	1	1	1
	Andrew Baker	259 14th	1	1	1	1	1	1	1
	Charles Binder	259 14th	1	1	1	1	1	1	1
	Michael Mullin	262 16th	1	1	1	1	1	1	1
	William Loomis	259 14th	1	1	1	1	1	1	1
	Thomas O'Neill	214 ave. A	1	1	1	1	1	1	1
	Martin O'Conner	545 16th	1	1	1	1	1	1	1

Poll-list of the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2	Congress. No. 3.	Assembly. No. 5	Judiciary. No. 8.	Supervisor.	City and county.
	William Allen	262 15th	1	1	1	1	1	1	1
	Frederick Stingle	216 ave. A	--	1	1	1	1	1	1
	John Posmker	238 ave. A	1	1	1	1	1	1	1
	Michael Bernard	238 ave. A	1	1	1	1	1	1	1
	Frederick Bernard	238 ave. A	1	1	1	1	1	1	1
	Daniel Fond	248 ave. A	1	1	1	1	1	1	1
	Daniel McAuliffe	257 ave. B	1	1	1	1	1	1	1
	Frederick Homleger	220 ave. A	1	1	1	1	1	1	1
	Bernard McConner	520 16th	1	1	1	1	1	1	1
	Dennis Kelly	243 ave. B	1	1	1	1	1	1	1
	Joseph Alcoln	249 15th	1	1	1	1	1	1	1
	Nicholas Hine	224 ave. A	1	1	1	1	1	1	1
Aff't..	John Brand	228 ave. A	1	1	1	1	1	1	1
	Emil Herr	279 ave. B	1	1	1	1	1	1	1
	Christopher Hern	279 ave. B	1	1	1	1	1	1	1
Aff't..	John Rigney	552 16th	1	1	1	1	1	1	1
	Alexander Frew	Cor. 15th and ave. C	1	1	1	1	1	1	1
Aff't..	Frederick Hain	248 ave. A	1	1	1	1	1	1	1
	William Bruce	309 14th	1	1	1	1	1	1	1
	Robert Walker	241 17th	1	1	1	1	1	1	1
	Edward Kelly	173 16th	1	1	1	1	1	1	1
	William Lindongritts	307 14th	1	1	1	1	1	1	1
	Patrick Bowan	222 ave. A	1	1	1	1	1	1	1
Aff't..	Henry Wottenbenger	505 16th	1	1	1	1	1	1	1
	John Wood	281 ave. B	1	1	1	1	1	1	1
Aff't..	Christian Ritter	506 16th	1	1	1	1	1	1	1
	Thomas Donnelly	541 16th	1	1	1	1	1	1	1
	George Britter	210 ave. A	1	1	1	1	1	1	1
	Michael Fowler	210 ave. B	1	1	1	1	1	1	1
	John Collins	514 16th	1	1	1	1	1	1	1
	James Hanley	508 16th	1	1	1	1	1	1	1
	Peter Brithmeson	241 ave. B	1	1	1	1	1	1	1
	Henry Ray	281 15th	1	1	1	1	1	1	1
	Elias J. Connover	349 14th	1	1	1	1	1	1	1
	Samuel Ray	281 15th	1	1	1	1	1	1	1
	Bernard Engman	210 ave. A	1	1	1	1	1	1	1
	James Dolan	255 ave B	1	1	1	1	1	1	1
	John A. Marshall	216 ave. A	1	1	1	1	1	1	1
	George Marshall	216 ave. A	1	-----	1	1	1	1	1
	John Cannon	206 ave. A	1	1	1	1	-----	1	1
	James Hanmel	305 14th	1	1	1	1	1	1	1
	Jeffrey Murphy	258 15th	1	1	1	1	-----	1	1
	Michael Bocker	303 14th	1	1	1	1	1	1	1
	Andrew Schulter	244 ave. A	1	1	1	1	1	1	1
	Valentine Lender	244 ave. A	2	1	1	1	1	1	1
	William Loughky	253 17th	1	1	1	1	1	1	1
	Frederick Itum	511 16th	1	1	1	1	1	1	1
	Charles Bosber	302 14th	1	1	1	1	1	1	1
	Adam Apple	222 ave. A	1	1	1	1	1	1	1
	Owen J. Clark	259 15th	1	1	1	1	1	1	1
	Edward Carroll	280 ave. B	1	1	1	1	-----	1	1
Aff't..	Conrad Guss	274 ave. A	1	1	1	1	1	1	1
	Thomas Killow	282 ave. B	1	1	1	1	1	1	1

Poll-list of the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	John Killow	282 ave B	1	1	1	1	1	1	1
	Edward Dougherty	547 16th	1	1	1	1	1	1	1
	Dennis Dailey	549 16th	1	1	1	1	1	1	1
	John Gaynor	280 ave. B	1	1	-----	1	-----	1	1
	Matty Blume	189 14th	1	1	1	1	1	1	1
	Arthur Minegan	650 15th	1	1	1	1	1	1	1
	Bernard Dalton	15th, bet aves. A & B.	1	1	1	1	1	1	1
	James McCarmand	249 15th	1	1	1	1	1	1	1
	James Coldus	524 16th	1	1	1	1	1	1	1
	Patrick Ryan	Cor. 16th and ave. B.	1	1	1	1	1	1	1
	Stephen McIntyre	646 16th	1	1	-----	1	1	1	1
	John Sands	250 ave. B	1	1	1	1	1	1	1
	Francis Ward	646 16th	1	1	1	1	1	1	1
	James McConnard	249 15th	1	1	1	1	1	1	1
Aff't	Louis Kratsch	242 ave. A	1	1	1	1	-----	1	1
Aff't	Joseph Schwabucher	242 ave. A	1	1	1	-----	1	----	----
	Martin Wolff	230 ave. A	1	1	1	1	1	1	1
	Thomas McKeon	253 17th	1	1	1	1	1	1	1
	Michael J. Reilley	242 ave. A	1	1	1	1	1	1	1
	Edward Flynn	249 ave. B	1	1	1	1	1	1	1
	Valentine Gosserd	256 ave. A	1	1	1	1	1	1	1
	Michael Bessner	248 ave. A	1	1	1	1	1	1	1
	Philip Sanger	234 ave A	1	1	1	1	1	1	1
Aff't	Francis Ritter	602 16th	1	1	1	1	1	1	1
	Francis Wily	208½ ave. A	1	1	1	1	1	1	1
	John Snider	551 16th	1	1	1	1	1	1	1
	John Rowan	524 16th	1	1	1	1	1	1	1
	Patrick Keenan	512 16th	1	1	1	1	1	1	1
	Owen McCarty	266 ave. B	1	1	-----	1	-----	1	1
	George Hyland	507 16th	1	1	1	1	1	1	1
	Clemmens B. Dusslow	210 ave. A	1	1	1	1	1	1	1
	Patrick Murrey	255 ave. B	1	1	1	1	1	1	1
	Bernard Johan	230 ave. A	1	1	1	1	1	1	1
	John Wildey	505 16th	1	-----	1	1	1	1	1
	William Smith	206 15th	1	1	1	1	1	1	1
	Adam Koxe	230 ave. A	1	1	1	1	1	1	1
	William Ritzger	253 16th	1	1	1	1	1	1	1
	Lewis Geister	504 16th	1	1	1	1	1	1	1
Aff't	Miles Burke	259 14th	1	1	1	1	1	1	1
	John McCormich	259 14th	1	1	1	1	1	1	1
	Thomas Fitzgerald	522 16th	1	1	1	1	1	1	1
	John Besstick	242 ave. B	1	1	1	1	1	1	1
	James Breardan	349 16th	1	1	1	1	1	1	1
	William P. Bunell	243 14th	1	1	-----	-----	-----	--	1
Aff't	C. A. Farrell	243 14th	1	1	-----	1	-----	1	1
	Timothy Fogerty	277 ave. B	1	1	1	1	1	1	1
	Thomas Clyne	246 ave. B	1	1	1	1	1	1	1
	John Duffy	238 ave. A	1	1	1	1	1	1	1
	Francis Thorn	553 17th	1	1	1	1	1	1	1
	John F Henghbill	214 ave. A	1	1	1	1	1	1	1
	Gustavus L Goetz	214 ave. A	1	1	1	1	1	1	1
	August Sweetzer	214 ave. A	1	1	1	1	1	1	1
	Patrick Brennan	255 ave. B	1	1	1	1	1	1	1

Poll-list of the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	Charles Coffee	212 ave. A	1	1	1	1	1	1	1
	Peter Brennan	255 ave. B	1	1	1	1	1	1	1
	John Londigan	247 ave. B	1	1	1	1	1	1	1
	Francis Calligan	Corner ave. B & 15th	1	1	1	1	1	1	1
	Henry Smith	237 ave B	1	1	1	1	1	1	1
	Michael Heickey	510 16th	1	1	1	1	1	1	1
	Michael Appleritz	236 ave. A	1	1	1	1	-----	1	1
	John Smideshauser	216 ave. A	1	1	1	1	1	1	1
	Patrick Hart	287 14th	1	1	1	1	1	1	1
	Christian Condell	218 ave. A	1	1	1	1	1	1	1
	James Duffy	255 15th	1	1	1	1	1	1	1
	Fred. Schugart	208½ ave. A	1	1	1	1	1	1	1
	George Bule	201 ave. A	1	1	1	1	1	1	1
	Lewis Kamaback	214 ave. A	1	1	1	1	1	1	1
	Michael Calahans	251 ave. B	1	1	1	1	1	1	1
	Thomas Dalton	509 16th	1	1	1	1	1	1	1
	Francis Gallaher	249 ave. B	1	1	1	1	1	1	1
	Michael Cannon	253 15th	1	1	1	1	1	1	1
	James Jones	201 14th	1	1	1	1	1	1	1
	Patrick Gilligan	273 16th	1	1	1	1	1	1	1
	John Farrell	249 ave. B	1	1	1	1	1	1	1
	Charles H. Naugh	244 ave. A	1	1	1	1	1	1	1
	Henry Mahoney	253 15th	1	1	1	1	1	1	1
	David Shea	253 15th	1	1	1	1	1	1	1
	William Downes	299 14th	1	1	1	1	1	1	1
	James Hogan	248 ave. B	1	1	1	1	1	1	1
	William Ocktill	303 14th	1	1	1	1	1	1	1
	William Britton	177 16th	1	1	1	1	1	1	1
	Robert V. Nevill	Corner 15th & ave. B	1	1	1	1	1	1	1
	Richard Delaney	303 14th	1	1	1	1	1	1	1
	Francis Mulligan	253 17th	1	1	1	1	1	1	1
	Patrick Nevin	612 16th	1	1	1	1	1	1	1
	Patrick Connolly	307 14th	1	1	1	1	-----	----	1
	James Murthe	251 ave. B	1	1	1	1	1	1	1
	Hugh McNamara	646 16th	1	1	1	1	1	1	1
	Patrick McNamee	646 16th	1	1	1	1	1	1	1
	Patrick Dolan	273 15th	1	1	1	1	1	1	1
	William Ruhler	220 ave. A	1	1	1	1	1	1	1
	John W. Dennis	255 14th	1	1	1	1	1	1	1
	Patrick Sheridan	Corner ave. A & 16th	1	1	1	1	1	1	1
	Thomas Finneland	281 ave. B	1	1	1	1	1	1	1
	Edward Collins	-----	----	----	----	----	----	----	----
	Morris Woods	519 16th	1	1	1	-----	1	1	1
	Henry Cummings	254 14th	1	1	1	1	1	1	1
	Owen McCormick	259 14th	1	1	1	1	1	1	1
	John Zeigler	585 16th	1	1	1	1	1	1	1
	Edward Flood	516 16th	1	1	1	1	1	1	1
	William Ronke	507 16th	1	1	1	1	1	1	1
	Peter Couglanburgh	511 16th	1	1	1	1	-----	1	1
	Thomas Kernan	241 ave. B	1	1	1	1	1	1	1
	Dennis McCollough	281 ave. B	1	1	1	1	1	1	1
	John Callaghan	257 14th	1	1	1	1	1	1	1
	John Klyne	512 16th	1	1	1	1	1	1	1

Poll-list for the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3	Assembly. No. 5.	Judiciary. No. 8.	Supervisor.	City and county.
	Thomas Hastings	Ave. C, bet. 15th and 16th	1	1	1	1	1	1	1
	William Kain	259 16th	1	1	1	1	1	1	1
	Bryan Beglan	646 16th	1	1	-----	-----	1	1	1
	Thomas Anderson	285 ave. B	1	1	1	1	1	1	1
	Lawrence Sawyer	269 15th	1	1	1	1	1	1	1
	Francis McTriff	229 17th	1	1	1	1	1	1	1
	Thomas Cunningham	Cor 15th and ave. B	1	1	1	1	1	1	1
	James Thompson	252 ave. B	1	1	1	1	1	1	1
	James Carr	580 16th	1	1	1	1	1	1	1
	Conrad Bender	208 ave. A	1	1	1	1	1	1	1
	Thomas Selotis	259 17th	1	1	1	1	1	1	1
	Martin Miller	287 ave. B	1	1	1	1	1	1	1
	Bernard Herrick	253 ave. B	1	1	1	1	1	1	1
	Thomas Conway	263 15th	1	1	1	1	1	1	1
	James Taggart	245 ave. B	1	1	1	1	1	1	1
	John Gallagher	243 ave. B	1	1	1	1	1	1	1
	Charles Shimler	242 ave. A	1	1	1	1	1	1	1
	Patrick Conway	260 15th	1	1	1	1	1	1	1
	Conrad Walter	212 ave A	1	1	1	1	1	1	1
	Dennis O'Neill	257 14th	1	1	1	1	1	1	1
	Charles Brady	264 ave. B	1	1	1	1	1	1	1
	David Dailey	266 ave. B	1	1	1	1	1	1	1
	Henry Canner	226 ave. A	1	1	1	1	1	1	1
	Philip Quinn	504 16th	1	1	1	1	1	1	1
	William Meehan	514 16th	1	1	1	1	1	1	1
	John Douglass	245 ave. B	1	1	----	1	1	1	1
	John Janery	253 15th	1	1	1	1	1	1	1
	John Kerns	221½ 17th	1	1	1	1	1	1	1
	Francis Farley	646 16th	1	1	-----	1	------	--	1
	Patrick Gilligan	273 15th	1	1	1	1	1	1	1
	John Carey	289 14th	1	1	1	1	1	1	1
	James Giveney	307 14th	1	1	1	1	1	1	1
	John Smith	255 17th	1	1	1	1	1	1	1
	Thomas Dugan	545 16th	1	1	-----	1	1	1	1
	James Clark	545 16th	1	1	-----	1	1	1	1
	Anthony McAuley	275 ave. B	1	1	1	1	1	1	1
	Michael Mulligan	612 16th	1	-----	1	1	1	1	1
	Patrick Gough	518 16th	1	1	1	1	1	1	1
	Richard Farnley	514 16th	1	1	1	1	1	1	1
	William Foley	505 16th	1	1	1	1	1	1	1
	Henry McCannon	511 16th	1	1	1	1	1	1	1
	John M. Peck	251 15th	1	1	1	1	1	1	1
	John Keefe	275 ave. B	1	1	1	1	1	1	1
	William Sanderson	549 16th	1	1	1	1	1	1	1
	Joseph Madden	516 16th	1	-----	1	1	1	1	1
	John Rourke	543 16th	1	1	1	1	1	1	1
	John Bowan	222 ave. A	1	1	1	1	1	1	1
	Samuel Maning	254 16th	1	1	1	1	1	1	1
	Patrick Sheridan	260 15th	1	1	1	1	1	1	1
	George Graham	261 14th	1	1	1	1	1	1	1
	Patrick Dornan	505 16th	1	1	1	1	1	1	1
	Matthias Shannon	278, ave. B	1	1	1	1	1	1	1

Poll-list for the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5	Judiciary. No. 8.	Supervisor.	City and county.
	Lawrence Kain	252 ave. B	1	1	1	1	1	1	1
	James Bowen	262 15th	1	1	1	1	1	1	1
	John Fornney	508 16th	1	1	1	1	1	1	1
	Michael Griffen	508 16th	1	1	1	1	1	1	1
	John Donohoe	248 ave. A	1	1	1	1	1	1	1
	Jeremiah Sweeney	206 ave. A	1	1	1	1	1	1	1
	Patrick Donnelly	283 ave. B	1	1	1	1	-----	1	1
	Andrew Kull	226 ave. A	1	1	1	1	1	1	1
	Michael Hank	571 16th	1	1	1	1	1	1	1
	Louis Frank	204 ave. A	1	1	1	1	1	1	1
	Peter Evans	610 16th	1	1	1	1	1	1	1
	John Fimman	612 16th	1	1	1	1	1	1	1
	Thomas Smith	248 ave. B	1	1	1	1	1	1	1
	Patrick Kearney	287 14th	1	1	1	1	1	1	1
	Patrick Klynes	246 ave B	1	1	1	1	1	1	1
	Michael Farrell	646 16th	1	1	1	1	1	1	1
	James Hughs	229 17th	1	1	1	1	1	1	1
	Richard Offeld	253 15th	1	1	1	1	1	1	1
	Thomas Henry	243 ave B	1	1	1	1	1	1	1
	Michael Drusster	522 16th	1	-----	1	1	1	1	1
	Thomas Duffy	543 16th	1	1	1	1	1	1	1
	William Graham	248 ave. A	1	1	1	1	1	1	1
	James Sandley	251 ave. B	1	1	1	1	-----	--	1
	John Werner	256 15th	1	1	1	1	1	1	1
	John Hamlin	512 16th	1	1	1	1	1	1	1
	Michael Dunn	271 ave. B	1	1	1	1	1	1	1
	Arthur McGee	241 ave. B	1	1	1	1	1	1	1
	William McKearney	514 16th	1	1	1	1	1	1	1
	John Donnelly	251 15th	1	1	1	1	1	1	1
	Thomas Mahon	287 ave. B	1	1	1	1	1	1	1
	Patrick Conlan	285 ave. B	1	1	1	1	1	1	1
	Michael Summers	516 16th	1	-----	1	1	1	1	1
	Dennis Kehoe	516 16th	1	1	1	1	1	1	1
	Laurens Foulke	301 14th	1	1	1	1	1	1	1
	Henry Goughfan	212 ave. A	1	1	1	1	1	1	1
	Edward Fitzgerald	522 16th	1	1	1	1	1	1	1
	Bartho. Buffley	249 15th	1	1	-----	1	1	1	1
	Dickler Cunningham	215 ave. A	1	1	1	1	1	1	1
	John Hennessey	297 14th	1	1	1	1	1	1	1
	James Kelly	251 16th	-----	-----	-----	-----	-----	-----	-----
	Frederick Jong	220 ave. A	1	1	1	1	1	1	1
	Bernard Johnston	232 ave. A	1	1	1	1	1	1	1
	Francis Mullin	232 ave. A	1	1	1	1	1	1	1
Aff't..	Edward Collins	513 16th	1	1	1	1	1	1	1
	Aaron Williams	259 15th	1	1	1	1	1	1	1
	John Reilley	243 ave. B	1	1	1	1	1	1	1
	Christopher Gurdle	266 ave B	1	1	1	1	1	1	1
	William Herbert	551 16th	1	1	1	1	1	1	1
Aff't..	Henry McKernoons	234 ave. A	1	1	1	1	1	1	1
Sworn.	Patrick Walsh	234 ave. A	1	1	1	1	1	1	1
	John Spaulding	234 ave. A	1	1	1	1	1	1	1
	Richard Hill	507 16th	1	1	1	1	1	1	1
	Patrick Kelly	519 16th	1	1	1	1	1	1	1

Poll-list of the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State.	Congress.	Assembly.	Judiciary.	Supervisor.	City and county.
				No. 2.	No. 3.	No. 5	No. 8.		
	James Malley	278 ave. B	1	1	1	1	1	1	--
	Patrick McClovey	299 14th	1	1	1	1	1	1	1
	Martin Garvin	518 16th	1	1	1	1	1	1	1
	James Flood	516 16th	1	1	1	1	1	1	1
	Nicholas Clark	257 ave. B	1	1	1	1	1	1	1
	Bernard Callahan	257 ave. B	1	1	1	1	1	--	1
	Michael O'Brien	253 15th	1	1	1	1	1	1	1
	Patrick Sculley	269 15th	1	1	1	1	1	1	1
	Matthew Donahue	Corner 16th & ave. B.	1	1	1	1	1	1	1
	George Dumish	224 ave. A	1	1	1	1	1	--	1
	Dennis Phealen	210 ave. A	1	-----	1	1	1	1	1
	William Kannon	512 16th	1	1	1	1	1	1	1
	Thomas Farrell	516 16th	1	1	1	1	1	1	1
	Philip McDermott	247 15th	1	1	1	1	1	1	1
	Charles Sands	245 ave. B	1	1	1	1	1	1	1
	Charles Bosdis	212 ave. A	1	1	1	1	1	1	1
	Adam Propts	238 ave. A	1	1	1	1	1	1	1
	John Killieber	242 ave. A	1	1	1	1	1	1	1
	Wolfgang Killer	242 ave. A	1	1	1	1	1	1	1
	Alexander Henyer	254 ave. B	1	1	1	1	1	1	1
	John Reilley	264 ave. B	1	1	1	1	1	1	1
	James Pinkerton	268 ave. B	1	1	1	1	1	1	1
	Dennis Garvin	266 ave. B	1	1	1	1	1	1	1
	Owen Burns	251 15th	1	1	1	1	1	1	1
	Thomas McDonlea	514 16th	1	1	1	1	1	1	1
	Patrick Willing	276 16th	1	1	1	1	1	1	1
	Thomas Dempsey	511 17th	1	1	1	1	1	1	1
	Alonzo Strickner	507 16th	1	1	1	1	1	1	1
	John Frey	241 15th	1	1	1	1	1	1	1
	Richard Reditutt	303 15th	1	1	1	1	1	1	1
	Thomas Bain	251 ave. B	1	1	1	1	1	1	1
	Gebhard Ossintinger	253 ave. B	1	1	1	1	1	1	1
	Joseph Wetmeyer	271 15th	1	1	1	1	1	--	1
	James Kasen	547 16th	1	1	1	1	1	1	1
	Thomas Hughes	287 14th	1	1	1	1	1	1	1
	Michael Ranat	264 ave. B	1	1	1	1	1	1	1
	John Hock	269 15th	1	1	1	1	1	1	1
	Patrick O'Rourke	220 16th	1	1	1	1	1	1	1
	Peter McCarty	Cor. 16th and ave. C.	1	1	1	1	1	1	1
	Hugh Preston	266 ave. B	1	1	1	1	1	1	1
	Bernard Manning	281 ave. B	1	1	1	1	1	1	1
	Michael Benford	239 ave. B	1	1	1	1	1	1	1
	John Mesher	227 17th	1	1	1	1	1	1	1
	John McCaliden	561 16th	1	1	1	1	1	1	1
	Jeremiah O'Meara	255 14th	1	1	1	1	1	1	1
	Thomas Fowler	277 ave. B	1	1	1	1	1	1	1
	John O'Brien	287 ave. B	1	1	1	1	1	1	1
	James McNally	245 ave. B	1	1	1	1	1	1	1
	Elrik Wahner	247 14th	1	1	1	1	1	1	1
	Thomas Fagan	271 ave. B	1	1	1	1	1	1	1
	Thomas Menohan	281 ave. B	1	1	-----	1	-----	1	1
	Michael Kelley	512 16th	1	1	1	1	1	1	1
	Joseph Rourke	518 16th	1	1	1	1	1	1	1

Poll-list for the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8	Supervisor.	City and county.
	C. H. Wentworth	229 17th	1	1	1	1	1	1	1
	John O'Donnell	243 ave B	1	1	1	1	----	--	1
	Patrick McGleno	255 15th	1	1	1	1	1	1	1
	James White	283 ave. B	1	1	1	1	1	1	1
	Peter Way	209 17th	1	1	1	1	----	1	1
	Timothy Glendon	530 16th	1	1	1	1	1	1	1
	James Kramme	610 16th	1	1	1	1	1	1	1
	Hugh McGanney	--- 16th	1	1	1	1	1	1	1
	Jeremiah O'Brien	256 15th	1	1	1	1	1	1	1
	Michael Hanagan	255 15th	1	1	1	1	1	1	1
	John Decker	245 17th	1	1	1	1	1	1	1
	James Crawford	206 ave A	1	1	1	1	1	1	1
	Charles O'Brien	250 ave. B	1	1	1	1	1	--	1
	Martin Rene	271 15th	1	1	1	1	1	1	1
	Henry Welsch	254 15th	1	1	1	1	1	1	1
	Thomas McCormand	249 15th	1	1	1	1	1	1	--
	Rob't Reslet	225 17th	1	1	1	1	1	1	1
	David Fay	519 16th	1	1	1	1	1	1	1
	Patrick Killem	511 16th	1	1	1	1	1	1	1
	Patrick Honan	254 15th	1	1	1	1	1	1	1
	Thomas Flaherty	514 16th	1	1	1	1	1	1	1
	Michael Kenny	522 16th	1	1	1	1	1	1	1
	Thomas Mikle	240 ave. A	1	1	1	1	1	1	1
	Henry Hemerle	16th and ave. A	1	1	1	1	1	--	1
	Robert Teasdell	281 15th	1	1	1	1	1	1	1
	John Killen	506 16th	1	1	1	1	1	1	1
	Lawrence Murtha	269 15th	1	1	1	1	1	1	1
Aff't..	James Muloy	241 ave. B.	1	1	1	1	1	1	1
	Owen Colman	516 16th	1	1	1	1	1	1	1
	Thomas Colman	257 15th	1	1	1	1	1	1	1
	Patrick McMahon	255 15th	1	1	1	1	1	1	1
Aff't..	James McNalley	277 ave. B	1	1	1	1	1	1	1
	James Stevens	522 16th	1	1	1	----	1	1	1
	Charles Brylan	255 16th	1	1	1	1	1	1	1
	Hugh McKean	240 ave. B	1	1	1	1	1	1	1
	William Fitzpatrick	248 ave. B	1	1	1	1	1	1	1
Aff't..	Stephen Friese	227½ 17th	1	1	1	1	1	1	1
	Patrick Sullivan	541 16th	1	1	1	1	1	1	1
	Patrick McCullough	262 15th	1	1	1	1	1	1	1
	Thomas Carney	243 ave. B	1	1	1	1	1	1	1
	Lawrence Cunningham	610 16th	1	1	----	1	1	1	1
	James Sheridan	524 16th	1	1	1	1	1	1	1
	Barth. Green	275 ave B	1	1	1	1	1	1	--
	John Trainor	253 ave. B	1	1	1	----	1	1	1
	John G. Caster	276 ave. B	1	1	1	1	1	1	1
	Francis Cussick	210 16th	1	1	1	1	----	1	1
	Thomas Fitzgerald	522 16th	1	1	1	1	1	1	1
	John McNally	650 16th	1	1	1	1	1	1	1
	Henry Kunser	216 15th	1	1	1	1	1	1	1
	Bernard McCarty	297 14th	1	1	1	1	1	1	1
Aff't	Patrick Callaghan	281 ave. B	1	1	1	1	1	1	1
	John Smith	516 16th	1	1	1	1	1	1	1
	John Martin	305 14th	1	1	1	1	----	1	1
	Philip Fiegel	301 14th	1	1	1	1	1	1	1

Poll-list for the fifteenth district of the Eighteenth ward—Continued.

Oaths.	Names of voters.	Residence.	President.	State. No. 2.	Congress. No. 3.	Assembly. No. 5.	Judiciary. No. 8	Supervisor.	City and county.
	Frederick Geis	236 ave. B	1	1	1	1	1	1	1
	Godfrey Veigel	241 ave. B	1	1	1	1	1	1	1
Aff't	Thomas Moore	504 16th	1	1	1	1	1	1	1
	John Glad	214 ave. A	1	1	1	1	1	1	1
Aff't	Patrick Hagen	516 16th	1	1	1	1	1	1	1
	John Mallory	256 15th	1	1	1	1	1	1	1
Aff't	Timothy Sullivan	541 16th	1	1	1	1	1	1	1
Aff't	Thomas Farrell	646 16th	1	1	1	1	1	1	1
	John Coman	255 ave. B	1	1	1	1	1	1	1
	Michael McKedrick	260 15th	1	1	1	1	1	1	1
	Arthur Donnolly	218 ave. A	1	1	1	1	1	1	1
	Arthur C. Henry	245 ave. B	1	1	1	1	1	1	1
	Charles O'Neill	257 14th	1	1	-----	1	-----	1	1
	Peter Cartright	524 16th	1	1	1	1	1	1	1
	Andrew Tinnin	241 ave. B	1	1	1	1	1	1	1
	Henry Schooler	257 15th	1	1	1	1	1	1	1
	Henry Zilch	512 16th	1	1	1	1	1	1	1
	James Henis	517 16th	1	1	1	1	1	1	1
	Andrew Carty	551 16th	1	1	1	1	1	1	1
	Daniel Gillespie	514 16th	1	1	1	1	1	1	--
	John Finn	512 16th	1	1	1	1	1	1	1
	Thomas Hogan	543 16th	1	1	1	1	-----	1	1
	Edward Sculley	255 15th	1	1	1	1	1	1	1
	John Hoy	249 ave. B	1	1	1	1	1	1	1
	Edward Burns	257 ave. B	1	1	1	1	1	1	1
	Owen Clark	266 ave. B	1	1	1	1	1	1	1
	Dennis Farrell	535 16th	1	1	1	1	-----	1	1
	Edward Birmingham	535 16th	1	1	1	1	1	1	1
	William Lander	222 ave. A	1	1	1	1	1	1	1
	Adam Schese	230 ave. A	1	1	1	1	1	1	1
	Philip Peterson	509 16th	1	1	1	1	1	1	1
	James Groomley	258 15th	1	1	1	1	1	1	1
	Dennis Sullivan	273 ave. B	1	1	1	1	1	1	1
	John Hogan	545 16th	1	1	1	1	1	1	1
	Patrick Murphy	255 16th	1	1	1	1	1	1	1

A copy.

WM. C. CONNER, *Clerk.*

That the whole number of votes given for the office of representative in Congress for the eighth congressional district was twenty-one thousand six hundred and fifty-nine, of which James Brooks received eight thousand five hundred and eighty-three; of which Thomas J. Barr received four thousand five hundred and forty-four; of which William E. Dodge received eight thousand four hundred and thirty-five; of which scattering received ninety-seven.

We certify this statement to be correct, and have caused the same to be attested by the signature of the chairman and secretary of this board, this twenty-sixth day of November, A. D. 1864.

WILLIAM M. STEED, *Chairman.*
DAVID A. FOWLER, *Secretary.*

I certify the above to be a true copy from the record in my office.

In witness whereof, I have hereunto set my hand and affixed my official seal this twenty-eighth day of November, A. D. 1864.

[SEAL.] H. W. GENET,
Clerk of the County of New York.

STATE OF NEW YORK,
Office of the Secretary of State.

It is hereby certified that I have compared the annexed statement of the whole number of votes given for the office of representative in Congress for the eighth congressional district, and that the same is a true copy of the returns made to this office of the votes given for representative in Congress for said district. And it is further certified that the certificates annexed to the statement of votes given in the said eighth congressional district for representative in Congress are true statements of the certificates attached to said returns on file in this office, and of the whole of said original certificates.

Witness my hand and seal of office of the secretary of state, at the city of Albany, this tenth day of February, one thousand eight hundred and sixty-five.

[SEAL.] ERASTUS CLARK,
Deputy Secretary of State.

The following are the number of votes cast for governor in each election district of the Eighteenth, Twentieth, and Twenty-first wards, in the year 1860 :

18th ward.	E. D. Morgan.	William Kelly.	James T. Brady.	20th ward.	E. D. Morgan.	William Kelly.	James T. Brady.	21st ward.	E. D. Morgan.	William Kelly.	James T. Brady.
District 1....	280	275	28	District 1....	81	286	30	District 1....	196	186	34
2....	308	329	39	2....	191	209	17	2....	118	242	22
3....	333	369	32	3....	215	336	74	3....	155	255	48
4....	136	113	22	4....	223	226	5	4....	142	256	33
5....	135	162	8	5....	145	231	22	5....	142	305	29
6....	183	257	14	6....	318	257	33	6....	99	184	13
7....	170	230	29	7....	284	187	27	7....	76	181	8
8....	91	145	22	8....	181	241	40	8....	115	136	13
9....	134	181	34	9....	179	322	23	9....	158	167	33
10....	73	252	25	10....	158	300	43	10....	230	266	22
11....	159	226	63	11....	215	357	22	11....	216	244	38
12....	100	463	46	12....	197	351	17	12....	199	214	41
13....	46	418	29	13....	154	281	16	13....	242	222	32
14....	53	181	60	14....	310	275	28	14....	228	178	37

The following are the number of votes cast for governor in each election district of the Eighteenth, Twentieth, and Twenty-first wards, in the year 1862:

18th ward.	J. S. Wadsworth.	H. Seymour.	20th ward.	J. S. Wadsworth.	H. Seymour.	21st ward.	J. S. Wadsworth.	H. Seymour.
District 1.....	262	224	District 1.....	47	286	District 1.....	114	207
2.....	306	252	2.....	116	215	2.....	74	227
3.....	310	255	3.....	153	376	3.....	112	274
4.....	108	112	4.....	108	205	4.....	94	257
5.....	133	145	5.....	56	331	5.....	88	254
6.....	137	280	6.....	220	225	6.....	48	174
7.....	115	196	7.....	206	213	7.....	39	195
8.....	76	132	8.....	79	320	8.....	128	142
9.....	94	171	9.....	91	261	9.....	148	177
10.....	61	207	10.....	104	236	10.....	166	214
11.....	87	236	11.....	133	400	11.....	195	217
12.....	53	570	12.....	146	299	12.....	187	208
13.....	34	357	13.....	231	315	13.....	212	198
14.....	27	190	14.....	93	255	14.....	193	182

The following are the number of votes cast for secretary of state in each election district of the Eighteenth, Twentieth, and Twenty-first wards, in the year 1863:

18th ward.	D. B. St. John.	C. M. Depew.	20th ward.	D. B. St. John.	C. M. Depew.	21st ward.	D. B. St. John.	C. M. Depew.
District 1	113	328	District 1	276	41	District 1	163	116
2	130	355	2	170	124	2	188	77
3	363	358	3	331	146	3	223	110
4	64	115	4	230	86	4	220	75
5	92	168	5	345	40	5	225	80
6	217	141	6	134	267	6	129	50
7	.....	.....	7	120	230	7	166	36
8	102	78	8	262	81	8	93	128
9	129	103	9	215	105	9	130	158
10	182	65	10	237	125	10	164	198
11	191	81	11	320	123	11	134	206
12	458	38	12	227	157	12	116	205
13	333	12	13	209	110	13	115	271
14	183	23	14	248	261	14	111	240

The following are the number of votes cast for the office of President in each election district of the Eighteenth, Twentieth, and Twenty-first wards, in the year 1864:

18th ward.	McClellan.	Lincoln.	20th ward.	McClellan.	Lincoln.	21st ward.	McClellan.	Lincoln.
District 1	214	354	District 1	443	83	District 1	319	159
2	302	452	2	303	190	2	426	127
3	288	489	3	588	273	3	414	164
4	124	178	4	360	175	4	449	141
5	155	176	5	507	101	5	437	125
6	355	206	6	245	328	6	278	84
7	289	181	7	224	319	7	334	66
8	200	87	8	419	164	8	148	185
9	243	157	9	474	170	9	255	205
10	306	68	10	367	169	10	309	218
11	317	154	11	507	226	11	258	286
12	346	46	12	366	186	12	204	290
13	478	34	13	357	182	13	185	376
14	318	36	14	427	311	14	176	320
15	412	59		.....	.....		.....	.....
Total	4,347	2,677	Total	5,587	2,877	Total	4,192	2,766

The following are the number of votes cast for a representative to Congress from the eighth district, comprising the Eighteenth, Twentieth, and Twenty-first wards, and the votes polled in each election district of the said wards:

18th ward.	T. J. Barr.	Wm. E. Dodge.	James Brooks.	20th ward.	T. J. Barr.	Wm. E. Dodge.	James Brooks.	21st ward.	T. J. Barr.	Wm. E. Dodge.	James Brooks.
District 1....	54	362	138	District 1....	126	82	281	District 1....	133	157	162
2....	70	462	199	2...	163	191	118	2....	140	133	250
3....	62	511	192	3....	241	284	315	3....	206	137	188
4....	34	187	76	4....	114	182	221	4....	252	144	154
5....	33	185	108	5....	110	95	376	5....	231	127	178
6....	69	210	261	6....	53	324	182	6....	105	87	158
7....	39	187	221	7....	74	321	125	7....	158	71	160
8....	72	91	111	8....	86	158	303	8....	27	197	98
9....	77	158	159	9....	123	164	326	9....	89	216	143
10....	98	69	188	10....	170	169	173	10....	53	242	232
11....	74	144	243	11....	201	221	292	11....	33	282	216
12....	124	40	201	12....	134	185	183	12....	28	310	155
13....	138	36	313	13....	120	174	222	13....	27	394	134
14....	100	36	200	14....	109	323	272	14....	26	330	135
15....	168	57	221		.....	.....	.....		.....	.....	.....
Total	1,212	2,735	2,831	Total.....	1,824	2,883	3,389	Total.....	1,508	2,827	2,363

STATE OF NEW YORK, *County of New York:*

I hereby certify that the annexed statements of votes are correct transcripts from the original returns of election, as filed in this office.

[SEAL.] In witness whereof, I have hereunto set my hand and affixed the seal of the county of New York.

W. C. CONNER, *Clerk.*

The following are designated as the places in each election district in the several wards of this city at which elections shall be held, until otherwise ordered.

D. T. VALENTINE, *Clerk.*

OCTOBER 24, 1864.

First ward.—First district, at No. 34 Greenwich street; second district, at No. 52 Greenwich street; third district, at No. 116 Greenwich street; fourth district, at No. 13 Depeyster street; fifth district, at No. 101 Broad street.

Second ward.—First district, at No. 61 Ann street; second district, at No. 18 Burling slip.

Third ward.—First district, at No. 77 Courtlandt street; second district, at No. 106 Barclay street; third district, at No. 256 Greenwich street; fourth district, at No. 3 Hudson street.

Fourth ward.—First district, at No. 11 Jacob street; second district, at No. 265 William street; third district, at No. 18 New Bowery; fourth district, No. 87 Cherry street; fifth district, No. 30 Madison street; sixth district, No. 61 Cherrp street; seventh district, No. 48 Catharine street.

Fifth ward.—First district, No. 56 Leonard street; second district, No. 119 West Broadway; third district, No. 153 Franklin street; fourth district, No. 146 West Broadway; fifth district, No. 69 Hudson street; sixth district, No. 355 Greenwich street; seventh district, No. 51 Beach street; eighth district, No. 74 Watts street.

Sixth ward.—First district, No. 8 Chambers street; second district, Sixth Ward Hotel, corner of Centre and Reade streets; third district, No. 26 City Hall place; fourth district, No. 72 Elm street; fifth district, No. 82 Centre street; sixth district, No. 57 Baxter street; seventh district, No. 10½ Mott street; eighth district, No. 86 Elm street; ninth district, No. 97 Baxter street.

Seventh ward.—First district, No. 21 Henry street; second district, No. 144 Cherry street; third district, No. 80 Henry street; fourth district, No. 48 Monroe street; fifth district, No. 59 Pike street; sixth district, No. 173 Madison street; seventh district, No. 1 Montgomery street; eighth district, southeast corner of Montgomery and Monroe streets; ninth district, No. 285 Henry street; tenth district, No. 376 Cherry street; eleventh district, No. 279 Monroe street.

Eighth ward.—First district, No. 34 Wooster street; second district, No. 66 Thompson street; third district, 534 Broome street; fourth district, No. 52 Dominick street; fifth district, No. 492 Greenwich street; sixth district, No. 106 Wooster street; seventh district, No. 95 West Houston street; eighth district, No. 140 Varick street; ninth district, No. 180 Varick street; tenth district, No. 203 Varick street; eleventh district, 305½ Spring street; twelfth district, No. 367 Hudson street.

Ninth ward.—First district, No. 672 Greenwich street; second district, No. 462 Hudson street; third district, Bleecker Buildings, corner of Bleecker and Morton streets; fourth district, No. 12 Christopher street; fifth district, No. 13 Seventh avenue; sixth district, No. 48 Hammond street; seventh district, No. 36 Fourth street; eighth district, No. 21 Ninth avenue; ninth district, No. 636 Hudson street; tenth district, No. 4 Bethune street; eleventh district, No. 733 Greenwich street; twelfth district, southwest corner of Washington and West Tenth streets.

Tenth ward.—First district, Tenth Ward Hotel, corner of Broome and Forsyth streets; second district, No. 96 Eldridge street; third district, No. 68½ Orchard street; fourth district, No. 52 Essex street; fifth district, No. 101 Hester street; sixth district, No. 128 Canal street.

Eleventh ward.—First district, No. 141 Attorney street; second district, No. 229 Stanton street; third district, No. 273 Stanton street; fourth district, southwest corner Stanton and Goerck streets; fifth district, house of Patrick Gallagher, on the southwest corner of Lewis and Third streets; sixth district, No. 28 avenue C; seventh district, No. 220 Third street; eighth district, at the house of John Landers, corner of Third street and avenue B; ninth district, Union Hall, corner of avenue C and Fourth street; tenth district, No. 185 Lewis street; eleventh district, No. 222 Sixth street; twelfth district, No. 215 Sixth street; thirteenth district, 336 Eighth street; fourteenth district, No. 121 avenue D; fifteenth district, No. 416 Tenth street; sixteenth district, No. 395 East Tenth street; seventeenth district, No. 244 Eleventh street; eighteenth district, No. 201 avenue C.

Twelfth ward.—First district, at the house of Geo. W. Jenkins, Broadway and Ninety-sixth street; second district, at the house of John Hare, Third avenue, between Eighty-sixth and Eighty-seventh streets; third district, at the house of John Halloran, One Hundred and Fourteenth street and Third avenue; fourth district, at James Hope's, corner of One Hundred and Twenty-fifth street and Third avenue; fifth district, at the house of Adam Illian, corner of Broadway and Manhattan street; sixth district, at the house of Thomas Fenton, One Hundred and Sixty-first street and Tenth avenue.

Thirteenth ward.—First district, 142 Delancey street; second district, 30 Attorney street; third district, 37 Willett street; fourth district, 232 Delancey street; fifth district, 7 Goerck street; sixth district, 34 Mangin street; seventh district, 3 Hester street; eighth district, 55 Cannon street.

Fourteenth ward.—First district, 277 Mott street; second district, 21 Prince street; third district, 179 Elizabeth street; fourth district, 42 Prince street

fifth district, 16 Marion street; sixth district, 174 Grand street; seventh district, 200 Mott street; eighth district, 122 Mott street; ninth district, 147 Mott street; tenth district, 215 Hester street.

Fifteenth ward.—First district, 124 Amity street; second district, northeast corner of Sullivan and Bleecker streets; third district, 196 Mercer street; fourth district, 129 Waverley place; fifth district, 115 Eleventh street; sixth district, 7 West Eleventh street; seventh district, northeast corner of Washington place, in the University; eighth district, 4 East Houston street; ninth district, 76 Fourth avenue; tenth district, 44 West Thirteenth street.

Sixteenth ward.—First district, 72 Seventh avenue; second district, 102 Seventh avenue; third district, 159 Seventh avenue; fourth district, 189 Seventh avenue; fifth district, 304 Eighth avenue; sixth district, 260 West Seventeenth street; seventh district, 103 Ninth avenue; eighth district, 91 Tenth avenue; ninth district, 163 Ninth avenue; tenth district, 434 West Twenty-fifth street.

Seventeenth ward.—First district, 233 Bowery; second district, 161 East Houston street; third district, 164 Suffolk street; fourth district, 33 Second avenue; fifth district, 107 Fifth street; sixth district, 12 Stuyvesant street; seventh district, 105 East Twelfth street; eighth district, 208 East Thirteenth street; ninth district, 208 First avenue; tenth district, 113 East Eleventh street; eleventh district, 145 East Eleventh street; twelfth district, 53 avenue A, corner of Fourth street; thirteenth district, 5 avenue A, corner of First street; fourteenth district, 258 East Thirteenth street; fifteenth district, 142 avenue A; sixteenth district, 94 avenue A; seventeenth district, 137½ Third street; eighteenth district, 185 and 187 Second street; nineteenth district, 117 avenue A, southwest corner of Eighth street.

Eighteenth ward.—First district, 63 Union place; second district, 28 East Nineteenth street; third district, 70½ West Twenty-fourth street, southeast corner of Sixth avenue; fourth district, northwest corner of Fifteenth street and Third avenue; fifth district, northeast corner of Seventeenth street and Third avenue; sixth district, 347 Second avenue; seventh district, 379 Second avenue, southwest corner of Twenty-fourth street; eighth district, southwest corner of First avenue and Sixteenth street; ninth district, 228 East Eighteenth street; tenth district, southwest corner of Twenty-second street and Second avenue; eleventh district, northwest corner of Twenty-third street and First avenue; twelfth district, southeast corner of Seventeenth street and First avenue; thirteenth district, southeast corner of Twentieth street and First avenue; fourteenth district, southeast corner of Twenty-third street and avenue A.

Fifteenth district omitted.

Nineteenth ward.—First district, Garvey's, corner of Fourth avenue and Forty-second street; second district, northeast corner of second avenue and Forty-third street; third district, southwest corner of Fiftieth street and Fourth avenue; fourth district, northeast corner of Second avenue and Forty-ninth street; fifth district, west side of Third avenue, corner of Fifty-sixth street; sixth district, northeast corner Third avenue and Fifty-third street; seventh district, house of E. Parsells, Sixty-first street, between Second and First avenues; eighth district, southeast corner of Eighty-fifth street and Third avenue; ninth district, southwest corner of Eighty-second street and Third avenue.

Twentieth Ward.—First district, 298 West Twenty-seventh street; second district, 283 Tenth avenue; third district, 357 Ninth avenue; fourth district, 286 West Thirty-sixth street; fifth district, 430 Tenth avenue; sixth district, 196 West Twenty-seventh street; seventh district, 402 Ninth avenue; eighth district, 525 Eighth avenue; ninth district, 255 Seventh avenue; tenth district; 312 Seventh avenue; eleventh district, 343 Seventh avenue; twelfth district,

191 West Thirty-third street; thirteenth district, 398 Seventh avenue; fourteenth district, 439 Seventh avenue

Twenty-first Ward.—First district, at southeast corner of Twenty-eighth street and Second avenue; second district, at 137 East Twenty-eighth street; third district, at northeast corner of Thirty-first street and Second avenue; fourth district, at southeast corner of Thirty-fourth street and Second avenue; fifth district, southeast corner Second avenue and Thirty-fifth street; sixth district, at 595 Second avenue, corner of Thirty-sixth street; seventh district, southeast corner Second avenue and Thirty-ninth street; eighth district, at 120 East Fortieth street; ninth district, at 120 East Thirty-third street, southwest corner of Third avenue; tenth district, southeast corner Fourth avenue and Thirty-first street; eleventh district, at northeast corner of Madison avenue and Twenty-seventh street; twelfth district, at 1146 Broadway; thirteenth district, at 57 West Thirty-third street; fourteenth district, at southwest corner Sixth avenue and Thirty-eighth street.

Twenty-second Ward.—First district, 482 Ninth avenue; second district, at the house of Daniel Ferber, No. 442 West Forty-second street; third district, at 183 West Forty-second street, between Eighth and Ninth avenues, north side of Forty-second street; fourth district, at 226 West Forty-fourth street, between Eighth and Ninth avenues, at National Hall; fifth district, at the corner of West Forty-fifth street and Ninth avenue; sixth district, at the southeast corner of Ninth avenue and Forty-sixth street; seventh district, at 161 West Forty-sixth street, between Broadway and Eighth avenue; eighth district, at northeast corner of Eighth avenue and Forty seventh street, between Forty-seventh and Forty-eighth streets; ninth district, at the east side of Eleventh avenue, between Forty-eighth and Forty-ninth streets, about fifty feet north of Forty-eighth street, on Eleventh avenue; tenth district, at 649 Ninth avenue, twenty-five feet north of Fiftieth street, on the west side of Ninth avenue; eleventh district, at the house of Andrew Hind, No. 687 Ninth avenue; twelfth district, southeast corner of Fifty-eighth street and Eighth avenue; thirteenth district, at the house of John Deinhardt, corner of Sixty-sixth street and Tenth avenue; fourteenth district, at Broadway, between Eighty-fourth and Eighty-fifth streets.

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DODGE vs. BROOKS.

PAPERS

IN THE CASE OF

WILLIAM E. DODGE AGAINST JAMES BROOKS,

FOR

A seat in the House of Representatives of the United States.

DECEMBER 13, 1865.—Ordered to be printed.

W. E. DODGE, Esq., SIR: On the night of the 4th of January, 1865, on the Jersey City ferry-boat, when *en route* to Washington from New York city, a letter was put in my hands by some stranger, which purports to be from you, and to give notice of a contest of my right to a seat in the thirty-ninth Congress. If the notice is from you, as it purports to be, it is too late, because it is beyond the thirty days allowed by law after the board of canvassers had determined that I was elected; but, *not* waiving that violation of law, and reserving to myself all the benefits and advantages therefrom, only from abundant caution I proceed to specifically controvert and deny each and every material allegation set forth in the said purporting notice.

In answer to your first ground, that "sundry persons were permitted to vote for me who were not qualified voters," is no notice or specification, and not such as can be specifically controverted; besides, it is untrue.

In answer to your second ground, that sundry disloyal persons residing in other portions of the State did conspire to compass my election by means of fraudulent votes, is not only fancy and fiction or forgery of fact, but no such specification or particularity is here set forth that I can specifically controvert. The whole "ground" is the common cry of the defeated party: "You were not elected, and I was;" "I was cheated," &c.

In answer to your third ground, "that the vote in the eighth congressional district is too large for the population of the district," I reply that you have purposely set forth and exaggerated the vote to be nearly 23,000, when it is only 21,661; and that all the allegations accompanying this exaggeration are alike untrue. The district has been, and is, rapidly filling with large hotels and tenement houses.

In answer to your fourth allegation, that the increase of votes was all of one political faith, there is no truth in it; but if the fact were so, it would prove nothing, because the democratic nomination of Tammany Hall was given to T. J. Barr, who polled 4,544 votes in the district, and in this increase of votes, you and T. J. Barr received as much benefit as I did, if not more.

In answer to your fifth ground, there is no particularity or specification in the allegations, that I can specifically controvert, and therefore they are void. But from abundant caution I deny them all, and allege that in the districts

therein named there has been a growth of population which justifies the increase of votes, while in other districts that voted for you, to wit, the first, second, and third districts of the Eighteenth ward, and in the sixth and seventh districts of the Twentieth ward, and in the twelfth, thirteenth, and fourteenth of the Twenty-first ward, there was a corresponding increase of votes for you.

In answer to your sixth ground, that if the allegations were true, which are denied, the notice is good for nothing for want of particularity and specification. The increase of vote is general with increase of population, and is always larger on a presidential than any other election.

In answer to your seventh ground, that sundry persons of the second district Twenty-first ward, to wit, *these sundry persons*, being 100 *and upwards, illegally voted for me, and sundry soldiers were illegally rejected, is no notice*, or such a sundry notice that it can only be controverted by a sundry denial of such sundry allegations in this very sundry way.

In answer to your eighth ground, "that in the second district alleged soldiers were registered without a shadow of evidence, and contrary to the laws of the State," it is not specified who these alleged soldiers were, or that they did not vote for you, or for T. J. Barr, and that as to the protesting resident of the district, it may have been some friend of mine protesting against votes for you, or T. J. Barr, but the protestation of a resident is no proof of fraud; while as to other matters set forth, I put in a general denial so far as the allegations affect me.

The fact is, all the inspectors and canvassers of all the ward districts in the congressional district were purposely selected from political organizations against me by the combined and conspiring action of your political friends and the Tammany organization for T. J. Barr, so that not one inspector or canvasser in the whole district was known, when selected, to be friendly to me. A partisan friend of yours acted as inspector in said district, who was not appointed as such inspector, or sworn in as such. And the Inspector Walker you speak of is believed to be one G. Walker, unworthy of credit and belief, as I here give you notice I shall show.

In answer to the ninth ground, that in the third district of the Twenty-first ward the vote was miscounted and not properly returned, I deny each and all of the allegations, save that one of the canvassers, Charles Herzeman, appointed by your political friends, failed to deliver the return directed by law to be sent to the county clerk; whereupon I sued out a mandamus against him to compel him to make the returns according to law, three of which returns he thus signed, and all corresponding with the returns sent the morning after election to the county supervisor; and I propose to prove that this district canvasser, who thus failed to deliver the returns, was induced thereto by promises of office or money from one Gideon G. Walker, your agent therefor.

In answer to your tenth ground, that in the seventh district of the Twentieth ward sundry persons, illegal voters, voted for me, to wit, one hundred and upwards, I reply that these sundries again reappearing, to the number of one hundred and upwards, is no specification or particularity, and therefore can only be controverted by as sundry a denial, as sundry broad as the sundries alleged.

In answer to your eleventh ground, that in the thirteenth district of the Eighteenth ward there were sundry irregularities committed by my inspectors, I deny that any inspector was appointed supposed to be friendly to me; that, on the contrary, by a conspiracy between your friends and Tammany Hall, no inspector supposed to be friendly to me was appointed; and I deny that any frauds, threats, or illegalities were committed by any friends of mine, or anything done wrongfully to affect my vote, either by bribery or otherwise, or that my friends assaulted any republican inspector, or that any partisan of mine changed or altered any election results so as to pervert them wrongfully.

I deny, in short, all the allegations so far as my vote is concerned, particularly as to these sundry persons who here turn up once more, to wit, two hundred and upwards, instead of one hundred and upwards, as heretofore.

In answer to the twelfth ground, as to the fifteenth district, there is no specification of what ward it is in; but if it means the fifteenth district, Eighteenth ward, I reply, the district was legally created and established, and that the election was correct and according to law; that the population in this district is an increasing population, and that the allegation that of the votes cast for me one-third and upwards were given by illegal voters, is the merest guesswork—the usual cry after election of a defeated candidate, "I was cheated;" or, if not so, no such specifiation or particularity as the law requires.

In answer to the thirteenth ground, that in the ninth district of the Twentieth ward sundry persons again—to wit, now only "seventy-five or upwards"—were not residents who voted for me, I reply, again, "sundry" is no specification or particularity such as can be controverted, or, if it can be, no such "sundry persons" thus voted. And I deny that the election was not carried on according to law, or that any fraud was committed for me, though several were attempted or committed for you.

In answer to the fourteenth, fifteenth, and sixteenth grounds, that sundry persons not of twenty-one years of age were permitted to vote for me, I reply, that if sundry persons did thus vote—which I deny—you do not specify *who* or *where*, and therefore there is no notice for me to contest. And I deny that sundry other persons not resident of the State, or resident of the district, thus voted, or if they did, you do not specify and particularize as required; while I allege that sundry such persons were permitted to vote for you.

In answer to the seventeenth ground, that other irregularities, defects, and illegalities were permitted or occurred in said election prejudicing you, I reply, there is no specification; but, so far as I am concerned, I deny them all. While I give notice to you I shall show that these irregularities, defects, and illegalities were committed by you, to my great injury and prejudice, whereby I was damaged a thousand votes or more.

1. In the soldiers' votes. B. F. Mannierre was the republican candidate for Congress in the eight district. As provost marshal of that district he had great influence and position in securing the soldiers' votes for himself, and had thus secured a large number, believed to be from five hundred to one thousand, which were enclosed in the general envelopes of the presidential and State ticket, and which were for him. You or your friends induced Mr. Manierre to retire, and in his retiring the soldiers' votes in the envelopes were transferred over and changed to you without their consent.

2. That large sums of money were given by you to effect this change from Mannierre to you, and that therefore, as this transaction was fraudulent, all such votes ought to be deducted from your poll.

3. That by an arrangement or corrupt bargain between your friends and certain leaders of Tammany Hall, not only were all the inspectors and canvassers of election appointed from your friends and from the friends of T. J. Barr, to the exclusion of my friends, but this arrangement was such that not enough polling places were allowed the voters on the short day of the election to get in their votes; in consequence of which large numbers of my friends were excluded from voting, to wit:

In the Twentieth ward, first district, only 497 votes were taken for Congress, and full 300 of my friends were disfranchised.

In the Twentieth ward, fifth district, there was a line, when the polls were closed, of 150 democrats, disfranchised of their right of voting.

In the Twentieth ward, third district, there were 50 democrats thus shut out. In the Twentieth ward, fourth district, 50 democrats were shut out who would have voted for me.

In the Twentieth ward, eighth district, 200 democrats were shut out who would have voted for me.

In the Twentieth ward, tenth district, 150 democrats were shut out who would have voted for me. Dodge and Barr men were allowed to vote, and Brooks men were shut out. The right to pass in to the republican inspectors and vote, was actually sold by your friends.

In the Twentieth ward, twelfth district, 250 democrats were shut out who would have voted for me.

In the Twentieth ward, fourteenth district, 200 democrats were shut out, two-thirds of whom would have voted for me.

At least 1,000 democrats were thus shut out in the Twentieth ward only.

And in the third, fourth and fifth districts of the Twenty-first ward many legal voters, who would have voted for me, were excluded from the polls, or kept from voting by time purposely wasted in challenging by your challengers; or by your inspectors in receiving votes, to wit: some 300 in all.

And in the eleventh, twelfth, thirteenth, fourteenth and fifteenth districts of the Eighteenth ward, by challengers of your party purposely delaying legal voters, or by inspectors of your party refusing to receive legal votes, some 500 voters were designedly kept from voting when the polls closed, most of whom would have voted for me, but for such unjust exclusion. These polls were thronged with voters when, in the short day of a November sunset, they were closed.

4. That in the thirteenth district of the Twenty-first ward, which was canvassed to have given you 394 votes, and Mr. Lincoln for President 376, and for me only 134, the canvassers, the majority of whom were of your party, were, pending the count of the votes, absent over half an hour, leaving the ballot boxes unprotected, during which time your vote was swollen above that for the President unnaturally, as many persons vote for electors who do not vote any other ticket, while my vote was then and thus reduced some twenty-four in number.

5. That in other ward districts there were great irregularities, frauds and illegalities, to wit: in the Tenth ward, third district, where you had 508 votes, and the electoral (Lincoln) ticket only 488, some twenty votes here having been given to me which were by accident or design transferred to you. And, to wit: in the second district of the same ward, where the Lincoln electoral ticket had 452 votes, and you 462, some thirteen votes given me were by accident or design transferred from me to you. And in the first district of the Eighteenth ward the votes were left for a time in the hands of strangers, while the canvassers were absent from the polls, this being the district where you received 362 votes, a part of which is believed to be the result of the absence of these canvassers.

6. That, in violation of the law of the State, you used in the election large sums of money yourself, or your agents and friends, for bribery and frauds, and corruptly purchased votes, or voters to vote for you, or, when that could not be done, to vote for T. J. Barr; and I propose to have you show how much has been thus expended by you or your friends; for which purpose I shall call for your check book, bank book, cash book, memorandum book, house book, pocket book, or diary of any kind, and for all sums of money contributed by your friends to carry on the election in the district.

7. That you have large contracts and interests in thus using money to be elected to the House of Representatives, particularly a contract to supply the government with copper, and that, therefore, to maintain those interests, you thus used these large sums of money to illegally control and influence the election and to bribe voters; to establish which, I shall call for all contracts you have with the government, and for the sums of money you have received, or are to receive therefor.

I also protest against any proceedings in the matters hereinafter referred to

by or before the honorable John R. Brady, of the court of common pleas, before whom I now appear for the purpose of making this protest, and the grounds of my protest are as follows:

1st. That no notice was given to me of an intention to contest my election as a member of the House of Representatives of the United States in the thirty-ninth Congress within thirty days after the result of the election was determined by the board of canvassers authorized by law to determine the same.

2d. That no such notice of an intention to contest my seat as such member, as is required by the first section of the act of Congress entitled "An act to prescribe the mode of obtaining evidence in cases of contested elections," approved February 19, 1851 has, at any time been given to me, or served in any manner.

3d. That no notice or copy of a notice of an intention to examine witnesses before the honorable John R. Brady, of the court of common pleas, has been left with me, or at my "usual place of abode," ten days or more before this day.

4th. That I have never received any notice of an intention to examine witnesses in this matter containing a statement of "their places of residence," nor has any such notice been served in any manner.

And for these reasons I object to any examination of witnesses under any pretended notice heretofore given, as in violation of my rights and in derogation of the aforesaid act of Congress.

Dated New York, February 20, 1865.

JAMES BROOKS.

WILLIAM E. DODGE, Esq.:

SIR: Take notice that, not waiving the insufficiency of your paper purporting to be a notice of intention to contest my election as a member of the House of Representatives in the thirty-ninth Congress, from the eighth congressional district of the State of New York, but reserving all and all manner of exceptions and objections thereto, I hereby give you notice that I intend, in pursuance of the act of Congress in such case made and provided, to examine the persons hereinafter named, as witnesses in my behalf; and that the examination will be conducted in the city of New York, at the Mission school-room, in Thirty-first street, near Third avenue, (the place at which witnesses have been examined in the same matter in your behalf,) on Tuesday, the 21st, Wednesday, the 22d, Thursday, the 23d, and Friday, the 24th days of March instant, at and after nine o'clock in the forenoon of each day, by and before the honorable John M. Barbour, one of the justices of the supreme court of the city of New York; and on the same days, except Tuesday, at and after seven o'clock in the evening of each day, by and before the honorable John R. Brady, one of the judges of the court of common pleas for the city and county of New York; and also at the southwest corner of avenue B and Fifteenth street, on Thursday, the 30th, and Friday, the 31st days of March instant, and on Saturday, the 1st, and Monday, the 3d days of April next, at and after nine o'clock in the forenoon of each day, by and before the honorable A. D. Russel, the city judge of the city of New York; and at and after seven o'clock in the evening of each day, by and before the honorable George G. Barnard, one of the justices of the supreme court of the State of New York; and that the session for the examination of witnesses to be held at each of the times above designated will be continued, in the discretion of the officer by whom the examination is conducted, so long as may be necessary, but not beyond the time fixed for the commencement of the next ensuing session. The session of March 24 will not be continued beyond that day.

In consequence of the course pursued by you in giving me notice of the examination of witnesses for the 11th day of March, and then again for the 16th day of March, and then again for the 21st day of March, exactly five days apart,

for the manifest purpose of trying to deprive me of the right to take testimony at different places by an unfair use of the proviso in the sixth section of the act of Congress in such case made and provided, which proviso is in the following words: "*Provided*, That neither party shall give notice of taking testimony at different places at the same time, or without allowing an interval of at least five days between the close of taking testimony at one place and its commencement at another," I have deemed it prudent to designate, as one of the places for taking my testimony, the Mission school-room above specified, the use of which I cannot influence or control. You will, therefore, also take notice that, if the use of that room is withheld at or for any of the sessions above specified for the examination of witnesses at that place, you are hereby notified that then, and in such case, the examination, as witnesses, of the persons hereinafter named will also be conducted at the southwest corner of avenue B and Fifteenth street on Monday, the 27th, Tuesday, the 28th, and Wednesday, the 29th days of March instant, at and after nine o'clock in the forenoon of each day, by the honorable John M. Barbour, justice as aforesaid, and at and after seven o'clock in the evening of each day by the honorable John R. Brady, judge as aforesaid; and that the session for the examination of witnesses, to be held at each of the times above designated, will be continued, in the discretion of the officer by whom the examination is conducted, as long as may be necessary.

You will also take notice that the names of the witnesses to be examined, as aforesaid, are as follows:

1, John R. Feeny; 2, Edwin Dobbs; 3, John Fitzpatrick; 4, Michael Healy; 5, William E. Frost; 6, I. Thornton; 7, Jeremiah Mahoney; 8, Michael McEntee; 9, Stephen Cornell; 10, J. Crowley; 11, Austin V. Pettit; 12, John Farrell; 13, John D. Ottiwell; 14, John Gaffney; 15, James M. Thomson; 16, John Case; 17, William E. Dodge; 18, John Hardy; 19, John Wedlock; 20, Richard B. Conolly; 21, Willam Conboy; 22, George Opdyke; 23, C. E. Ford; 24, Elliott C. Cowdin; 25, James Kelly; 26, John Shaw; 27, C. N. Campbell; 28, William W. Phelps; 29, John White; 30, R. M. Sterritt; 31, A. Ryan; 32, James Goss; 33, Joseph McDermott; 34, John Clarke; 35, J. Killalee; 36, Thomas Burns; 37, Michael Groghegan; 38, William R. Stewart; 39, Hugh Riley; 40, John R. Briggs; 41, A. L. Smith; 42, John I. Boyd; 43, E. H. Pomeroy; 44, Thomas Cowen; 45, J. Keegan; 46, Patrick Fitzsimmons; 47, Patrick O'Toole; 48, Thomas B. Asten; 49, William Beckstein; 50, M. Shaughnessy; 51, P. Doyle; 52, Michael Dougherty; 53, E. D. Connery, jr.; 54, William Drummond; 55, Alonzo A. Renton; 56, John V. Gridley; 57, Richard Murray; 58, Benjamin F. Manierre; 59, Edward Murphy; 60, P. Reily; 61, John Brannegan; 62, C. McCormick; 63, T. O'Neil; 64, John Stinert; 65, Michael Carey; 66, G. Wheeler; 67, Peter Gray; 68, Nicholas Cowen; 69, Charles McCarty; 70, John Killalee; 71, Cornelius Dugan; 72, S. B. Hooper; 73, Charles W. Baker; 74, Dennis Brenan; 75, William Atkinson; 76, John Farrell; 77, Edward Quinn; 78, William T. Black; 79, H. Gallogly; 80, L. Getman; 81, Bernard Brenan; 82, Legrand B. Cannon; 83, Henry McCabe; 84, James Thompson; 85, F. W. Byrdsall; 86, S. J. Hawkins; 87, W. I. Smith; 88, William Everett; 89, J. B. Farrell; 90, Hugh Brady; 91, James Kearney; 92, John Wheeler; 93, Daniel W. James; 94, James Mahoney; 95, John M. Tracy; 96, R. H. Platt; 97, Joseph Bremen; 98, Christopher Pullman; 99, Thomas Murphy; 100, P. McMullen; 101, James G. Dimond; 102, H. A. Warts; 103, Cummings H. Tucker; 104, James Harsons; 105, William P. Estabrook; 106, John McGowen; 107, Thomas A. Ledwith; 108, D. Jones; 109, H. Riley; 110, Patrick Malladay; 111, Owen Loonan; 112, B. Monaghan; 113, J. C. Denny; 114, I. McAuliffe; 115, Thomas Riley; 116, James McNally; 117, James Fallon; 118, Bernard Herman; 119, William Thornton; 120, Edwin D. Morgan; 121, P. H. Ricketts; 122, James H. Clark; 123, J. A. Thompson; 124, William Thornton; 125, F. W. Mitchell;

126, Philip Farley; 127, J. A. Stanbury; 128, Jeremiah Crowley; 129, L. Freeland; 130, A. H. Campbell; 131, James Reynolds; 132, George S. Wanier; 133, A. Stock; 134, E. Schlichting; 135, H. Winne; 136, William J. Bollacker; 137, George McDonald; 138, Andrew Baird; 139, Charles Sier; 140, W. Benning; 141, P. Coyle; 142, J. I. Duffy; 143, J. B. Nicholson; 144, John Conable; 145, C. F. Dempsey; 146, Guy Kennedy; 147, B. Hamann; 148, Charles O'Brien; 149, James Owens; 150, Charles Lynch; 151, John Brice; 152, E. Durnin; 153, John B. Farrell; 154, C. Walter; 155, James Dougherty; 156, Hugh Quin; 157, S. B. Sherman; 158, John Lyst; 159, R. Macklin; 160, Daniel Conners; 161, C. W. Taylor; 162, W. T. Hendrick; 163, John R. Finley; 164, Andrew Cassidy; 165, Thomas Miller; 166, Dennis F. Day; 167, W. H. Underhill; 168, R. King; 169, J D. Harvey; 170, Horatio P. Carr; 171, Philip Scheu; 172, Harris Wines, jr.; 173, T. A. Parkann; 174, A. Ryan; 175, Aaron Pope; 176, I. McCormick; 177, John Rush; 178, R. M. Stenelt; 179, And. May; 180, G. Defendorf; 181, Jehu Mott; 182, E. W. Brady; 183, James Irving; 184, Patrick Doyle; 185, John Connelly; 186, S. Sketchley; 187, G. B. Nicholson; 188, William Simpson; 189, C. McCormick; 190, S. Loughman; 191, Daniel McGowan; 192, P Termesson; 193, Michael O'Hara; 194, T. F. Heinig; 185, Thomas McConkey; 196, P. H. Newman; 197, Stephen Munn; 198, Charles McDonough; 199, James McGinnes; 200, N. O'Donnell; 201, C. Siddens; 202, Joseph Scullen; 203, T. Adams; 204, John Smith; 205, A. Mathews; 206, S. N. Harris; 207, B. Beckman; 208, Edward Farrell; 209, John Killalee; 210, Peter Gray; 211, M. McGinnes; 212, B. K. Murphy; 213, C. E. Henburn; 214, John Hawkins; 215, W. L. Kellogg; 216, H. Gallagher; 217, I. H. Brandon; 218, James Bresland; 219, W. Haggerty; 220, Morris Bennett; 221, I. I. Cloran; 222, John R. Brady; 223, Daniel W. Clark; 224, W. A. Boyd; 225, John Whitney.

All of whom reside in the eighth congressional district, in the city of New York, and Smith Ely, jr., who resides in the Seventeenth ward of the city of New York.

Dated New York, March 11, 1865.

JAMES BROOKS.

WILLIAM E. DODGE, Esq.:

SIR: Take notice that, not waiving the insufficiency of your paper, purporting to be a notice of intention to contest my election as a member of the House of Representatives in the 39th Congress, from the 8th congressional district of the State of New York, but, reserving all and all manner of exception and objection thereto, I hereby give you notice that I intend, in pursuance of the act of Congress in such case made and provided, to examine the persons hereinafter named, as witnesses in my behalf, and that the examination will be conducted in the city of New York, at the southwest corner of avenue B and 15th street, on Saturday, the 1st, and Monday, the 3d, days of April next, at and after 9 o'clock in the forenoon of each day, by and before the honorable A. D. Russel, the city judge of the city of New York; and at and after 7 o'clock in the evening of each day, by and before the honorable George G. Barnard, one of the justices of the supreme court of the State of New York, and that the session for the examination of witnesses to be held at each of the times above designated will be continued, in the discretion of the officer by whom the examination is conducted, so long as may be necessary, but not beyond the time fixed for the commencement of the next ensuing session. The names of the witnesses to be examined, as aforesaid, are as follows:

1, C. Godfrey Gunther; 2, Robert F. Dennison; 3, John Allen; 4, Stephen B. Welsh; 5, James McDade; 6, John H. McManus; 7, Thomas Dunn; 8,

Thomas Martin; 9, Jacob Rombard; 10, John Murray; 11, Michael Lyons; 12, Anthony Kieman; 13, R. B. Catherwood; 14, John Meehan; 15, David Wilson; 16, Matthew Gartland; 17, T. Hoffman; 18, Michael Doyle; 19, T. Keenan; 20, C. Mitchell; 21, John Lee; 22, Philip Farley; 23, D. McCullough; 24, John Giveney; 25, Michael Leary; 26, Hugh McGowan; 27, C. Walter; 28, James Barry; 29, Barney Gorman; 30, C. Callaghan; 31, D. O'Neel; 32, G. Peterson; 33, Owen Gorman; 34, Patrick O'Neil; 35, Patrick McKeon; 36, Robert Nixon; 37, James Lee; 38, Isaac Myers; 39, Thomas Igo; 40, H. Buckley; 41, Samuel Frazier; 42, Thomas Murphy; 43, Thomas McGovern; 44, B. King; 45, J. M. Olmsted; 46, Bernard Murtha; 47, P. McNamara; 48, S. Atler; 49, John Tully; 50, Thomas Darcy; 51, James Foley; 52, —. Kanaghan; 53, E. McClellan; 54, A. Kleber; 55, Charles Brady; 56, Patrick Brown; 57, I Swiseman; 58, M. Welsh; 59, David Dailey; 60, Charles Davies; 61, Thomas Moore; 62, Owen O'Neil; 63, H. Cauder; 64. John Fleming; 65, Thomas McBride; 66, John Finnegan; 67, Philip Quin; 68, Charles Hosey; 69, Michael Burke; 70, M. Brady; 71, William Meehan; 72, William Madden; 73, P. Bernbold; 74, Luke O'Reilly; 75, J. Douglas; 76, M. Wellinghoff; 77, C. Kennebeck; 78, Edward Fitzpatrick; 79, John Yancey; 80, C. Cavanagh; 81, A. Connor; 82, J. H. Ferguson; 83, Peter Rodgers; 84, Edward Doran; 85, John McManus; 86, John Beppler; 87, Louis Hullick; 88, James Mullaly; 89, H. Fallon; 90, James Dooley; 91, L. Duffin; 92, T. Connolly; 93, R. Cozzen; 94, A. Garrison; 95, J. McCullough; 96, William Minnihan; 97, M. Gahan; 98, J. Wittlaufer; 99, L. Saigler; 100, P. McMullins; 101, John Taylor; 102, M. O'Loughlin; 103, Matthew Brady; 104, M. J. Cavanagh; 105, J. C. Tomney; 106, Adam Grasmuck; 107, Thomas Webb; 108, John Merkle; 109, Andrew Baker; 110, Hugh Minuck; 111, John Kerns; 112, Patrick McClonney; 113, John Verway; 114, T. Quinlan; 115, F. Farley; 116, Michael Ling; 117, R. H. Springstein; 118, H. Whelan; 119, P. Gilligan; 120, James Finerty; 121, P. Savoy; 122, M. Whelan; 123, John Carney; 124, James Green; 125, M. Clancey; 126, S. R. Pinckney; 127, James Givney; 128, W. Patterson; 129, Josheph Herrons; 130, C. Ashenfelter; 131, John Smith; 132, B. Segler; 133, James Herrons; 134, John Perdue; 135, T. Dugan; 136, John Cameron; 137, Patrick McCormick; 138, H. B. Venn; 139, F. Phelan; 140, Michael Yager; 141, John Mead; 142, John Byrnes; 143, John Broderick; 144, Edward Roe; 145, John Costello; 146, M. McKenna; 147, F. Gorman; 148, Thomas J. Douglass; 149, James McCarman; 150, J. Larkin; 151, James Gannon; 152, Ellsworth Hoagland; 153, Peter Hanigan; 154, J. Gillespie; 155, M. Curry; 156, A. B. Sutton; 157, John McRack; 158, Michael Harney; 159, John Benyan; 160, John McIntyre; 161, Miles Hastings; 162, P. Keegan; 163, Peter Feeley; 164, John Cass; 165, William Haney; 166, John Barrett; 167, Patrick Blake; 168, John O'Brien; 169, J. Coogan; 170, M. Sheeny; 171, Andrew Cassidy; 172, George H. Barrett; 173, John Ryan, jr.; 174, J. Corcoran; 175, Thomas Collier; 176, M. Hurley; 177, W. C. Barrett; 178, Patrick Henley; 179, Patrick Britt; 180, M. Connor; 181, A. Hamonell; 182, M. S. Merk; 183, James Duffy; 184, M. O'Neil; 185, F. O'Rourke; 186, M. Ryan; 187, Patrick Minor; 188, Thomas Dillon; 189, John Harris; 190, J. Finnegan; 191, Thomas Keenan; 192, C. Werth; 193, Jeremiah Kennedy; 194, C. L. Halberstadt; 195, James Clark; 196, M. Connor; 197, J. Keenan; 198, E. Devlin; 199, A. McAuley; 200, J. Gallagher; 201, James O'Neil; 202, T. C. Doyle; 203, M. Mulligan; 204, J. Farwell; 205, A. Effler; 206, E. Higgins; 207, Patrick Gough; 208, P. Donigan; 209, Owen Farrell; 210, P. Kinsley; 211, R. Farnley; 212, Michael Fanning; 213, E. Brookes; 414, Patrick Deans; 215, William Foley; 216, T. Reichold; 217, Edward Brown; 218, J. Broderick; 219, H. McCanna; 220, John McManus; 221, R. F. Andrews; 222, J. Lee; 223, Louis Frank;

224, Jacob Wierle; 225, John Hughes; 226, W. Matthews; 227, P. Ettens; 228, P. Deuzler; 229, T. C. Benning; 230, T. Scollen; 231, John Finnan; 232, F. Yonniker; 233, Thos. Farley; 234, John Clark; 235, Thos. Smith; 236, John G. Heinsleman; 237, M. Dolan; 238, C. Callehan; 239, P. Kerney; 240, W. Shilling; 241, Peter Bray; 242, Wm. Watts; 243, P. Klymes; 244, Thomas Coughlan; 245, J. Hefferen; 246, E. Breen; 247, M. Farrell; 248, M. Meigher; 249, Andrew Baker; 250, B. O'Conner; 251, P. Hastings; 252, J. R. Mayson; 253, C. Binder; 254, Charles Hovey; 255, S. F. Sherwood; 256, James Dean; 257, Michael Mullin; 258, Peter Woods; 259, Rob't Kerr; 260, P. McCabe; 261, Wm. Loomis; 262, P. H. Jackson; 263, J. Bennie; 364, T. W. Kenny; 265, Thos. O'Neill; 266, Thos. Casey; 267, B. Dunehue; 268, B. Monaghan; 269, M. O'Connor; 270, G. Schweitzers; 271, Peter Brady; 272, J. Robin; 273, Wm. Allen; 274, D. C. Birdsall; 275, J. Leach; 276, Francis Schoof; 277, James Hughes; 278, F. Sturgle; 279, Maurice Daly; 280, J. H. Robintile; 281, R. Offeld; 282, J. Posonker; 283, Joseph Mallen; 284, J. Hampden; 285, Thomas Henry; 286, M. Bernard; 287, T. Mallen; 288, N. T. Wilson; 289, M. Dunster; 290, F. Bernard; 291, T. O'Conner; 292, John Wood; 293, Thos. Duffy; 294, Daniel Ford; 295, M. O'Conner; 296, J. Donnelly; 297, Wm. Graham; 298, D. McCauliffe; 299, Edward Morris; 300, A. Clinch; 301, J. Sandley; 302, F. Homleger; 303, L. Israel; 304, Edward Carroll; 305, P. Mooney, 306, J. Costello; 307, James Larardon; 308, Conrad Guss; 309, P. Murray; 310, J. Lassan; 311, J. Carrivius; 312, T. Killon; 313, P. Moveney; 314. Wm. Carr; 315, E. Levering; 316, J. Killon; 317, Michael Fail; 318, J. W. Haddock; 319, F. Moungway; 320, Edw'd Dougherty; 321, M. Fay; 322, Owen Dailey; 323, P. Garry; 324, Denis Dailey; 325, P. Golden; 326, W. L. Demarest; 327, James Coogan; 328, J. Gaynor; 329, C. McLaughlin; 330, Martin Lake; 331, Patrick Eagan; 332, J. Tuomey; 333, M. Blume; 334, H. Hudder; 335, Dan'l D. Lake; 336, M. Griffin; 337, A. Moneghan; 338, John Kellar; 339, R. D. Elaney; 340, John Donahue; 341, B. Dalton; 342, J. Johnson; 343, J. S Wormward; 344, J. Sweeny; 345, J McCarnard; 346, P. Monaghan; 347, Philip Genty; 348, P. Donnelly; 349, James Colders; 350, C. Braumgezer; 351, James Wylie; 352, Andrew Kaull; 353, Patrick Ryan; 354, J. Gannon; 355, H. M. Fistie; 356, M. Hanks; 357, S. McIntyre; 358, J. Will; 359, John P. Ryan; 360, W. J. Gannon; 361, M Gavan; 362, John Sands; 363, P. Yaney; 364, Herman Houges; 365, John Caihan; 366, F. Ward; 367, T. McDermott; 368, J. W. Martin; 369, James Laiss; 370, J. McConraid; 371, B. McGuire; 372, Wm. Welsh; 373, Robert Sill; 374, L. Kratsch; 375, P. Wintur; 376, D. Kelly; 377, John Harvey; 378, J. Schwabucker; 379, P. Dwyer; 380, A. H. Long; 381, T. Connolly; 382, M. Wolf; 383, P. Winne; 384, R. M. Martin; 385, E. D. Bangs; 386, T. McKeon; 387, O. Larkin; 388, J. Snideshauser; 389, E. C. Johnson; 390, T. Jennings; 391, John McPeck; 392, Patrick Hart; 393, Robert Parler; 394, Thos. Leip; 395, John Keefe; 396, C. Cardell; 397, John Smith; 398, John Romey; 399, W. Sanderson; 400, James Duffy; 401, Pat. Silen; 402, Wm. Sedwick; 403, Joseph Madden; 404, F. Schongart; 405, James Smith; 406, John Murray; 407, John Rourke; 408, Geo. Bule; 409, C. H. Welsh; 410, Joseph Gerry; 411, John Bowan; 412, L. Kaunabach; 413, Otto Ahen; 414, Wm. Gaban; 415, Samuel Manning; 416, John Meeks; 417, M. Calabaus; 418, P. Wynne; 419, J. C. Ryan; 420, Wm. Hurd; 421, T. Dalton; 422, J. Rea; 423, James Kelly; 424, Geo. Switzer; 425, F. Gallagher; 426, John Capet; 427, John Peters; 428, A. Spink; 429, M. Cannon; 430, P. Fitzsimmons; 431, J. M. Phelps; 432, Patrick Bagan; 433, James Jones; 434, Francis Conta; 435, E. Conroy; 436, W. Minnehan; 437, P. Gilligan; 438, C. Baldwin; 439, M. Ludlow; 440, George Stark; 441, John Farrell; 442, John Irvine; 443, Hugh O'Reilly; 444, Patrick Murray; 445, P. Sheridan; 446, C. H. Naugh; 447, P. Delin; 448, M.

Conigan; 449, Geo. Graham; 450, H. Maloney; 451, P. Dolan; 452, John Moore; 453, P. Doonan; 454, David Shea; 455, E. McCluskey; 456, Levi Hadden; 457, M. Shannon; 558, Wm. Downes; 459, T. Mulby or Mulvey; 460, W. H. Russell; 461, W. H. Russell, jr.; 462, James Hogan; 463, T. Maltby; 464, E. Moren; 465, L. Kain; 466, Wm. Ocktell; 467, Patrick Reilly; 468, J. G. Watkins; 469, James Bowen; 470, Wm. Britton; 471, J. Brady; 472, Bernard McConner; 473, E. Bannin; 474, T. Delaney; 475, B. McGuire, jr.; 476, Denis Kelley; 477, E. Brennan; 478, Thomas Dwyer; 479, John Dalton; 480, Joseph Alcoln; 481, J. Gurgin; 482, T. McCabe; 483, Wm. Higgins; 484, Nicholas Hine; 485, J. Berger; 486, Wm. Coulton; 487, John Matthews; 488, John Brand; 489, H. Lankin; 490, H. Brown; 491, Francis Hagan; 492, Emil Herr; 493, Kieran Sankin; 494, T. Dorset; 495, P. Hollihan; 496, C. Herr; 497, T. Cloody; 498, J. D. Burns; 499, James Quin; 500, John Werner; 501, John Rigney; 502, T. Fluney; 503, Thomas Henry; 504, John Hamline; 505, Alex. Frew; 506, J. McLarney; 507, H. McLaughlin; 508, M. Dunn; 509, Frederic Hain; 510, J. McAlarney; 511, A. Partridge; 512, A. McGee; 513, Wm. Bruce; 514, P. Ross; 515, H. Fredericks; 516, W. McKerney; 517, R. Walker; 518, O. Buckley; 519, Patrick Curry; 520, John Donally; 521, Edward Kelly; 522, F. O'Brae; 523, J. M. Holden; 524, T. Mahon; 525, W. Lindongritts; 526, F. Bray; 527, L. D. Hay; 528, F. Markey; 529, C. H. Brignen; 530, P. Bowan; 531, P. Mayloff; 532, Thos. O'Brien; 533, B. Dickon; 534, H. Wottenberger; 535, Patrick Lynch; 536, T. Cox; 537, Owen Clark; 538, John Ward; 539, P. Marvin; 540, S. O'Brien; 541, J. Montgomery; 542, C. Ritter; 543, P. Meenan; 544, August May; 545, J. Kennedy; 546, T. Donnelly; 547, M. Haglin; 548, J. McLaughlin; 549, A. Moran; 550, G. Butler; 551, M. Hacleon; 552, T. Reilly; 553, Thos. Bennett; 554, M. Fowler; 555, H. Gormley; 556, M. J. Reilly; 557, Peter Gormley; 558, John O'Donnell; 559, G. Dierwish: 560, Edward Flynn; 561, J. Haber; 562, J. Gilmer; 563, D. Phelan; 564, V. Gosserd; 565, J. Hand, 566, James Smith; 567, Wm. Kannon; 568, M. Bessner; 569, P. Denley; 570, John Brown; 571, Thos. Farrell; 572, P. Sauger; 573, P. Dunney; 574, F. Burke; 575, P. McDermott; 576, Francis Ritter; 577, A. P. Showanton; 578, J. McBride; 579, C. Sands; 580, Francis Wieg; 581, P Sevins; 582, Ed. Clark; 583, Chas. Bordis; 584, Thos. Barry; 585, J. Snider; 586, E. A. Austin; 587, J. F. Petrie; 588, John Haines; 589, John Rowan; 590, John S. Austin; 591, S. Baldwin; 592, John Hutton; 593, P. Keenan; 594, H. Berney; 595, John Sexton; 596, E. Hartley; 597, Owen McCarty; 598, E. Delmight; 599, J. French; 600, James Norton; 601, G. Hyland; 602, Michael Delmayd; 603, H. C. Furguson; 604, Wm. Woods; 605, C. B. Duslow; 606, P. Roche; 607, John Dougherty; 608, R. Massey; 609, P. Mooney; 610, I. McMahon; 611, J. Hynes; 612, John M. Clark; 513, Adam Propts; 614, B. Johan; 615, Denis Quin; 616, John Hart; 617, J. Killieber; 618, J. Wildey; 619, J. M. O'Neil; 620, P. Fisher; 621, W. Killer; 622, W. Smith; 623, E. R. Levy; 624, John Mellows; 625, A. Heneger; 626, Adam Koce; 627, J. O'Neil; 628, Thos. Dyer; 629, John Reilly; 630, Wm. Ritzen; 631, Patrick Daley; 632, John M. Barry; 633, J. Pinkerton; 634, L. Geisler; 635, J. V. Barlow; 636, C. Dusenbury; 637, D. Garvin; 638, M. Burke; 639, J. Burner; 640, Robert O'Neill; 641, B. S. Southwick; 642, K. Horan; 643, Owen Barnes; 644, R. Delaney; 645, B. Southworth; 646, P. Daley; 647, T. McDonlen; 648, F. Mulligan; 649, T. Movine; 650, J. J. Gavin; 651, P. Walling; 652, P. Nevin; 653, J. Gallagher; 654, T. Dempsey; 655, M. Fitzpatrick; 656, P. Connolly; 657, J. Austin; 658, A. Strickmen; 659, Patrick McNally; 660, James Murtha; 661, John Lank; 662, John Frey; 663, Thomas Higgins; 664, Hugh McNamee; 665, R. Fielding, jr.; 666, R. Rediwitt; 667, Wm. Hart; 668, M. Blakely; 669, P. McNamee; 670, A. Teshune; 671, Theo. Bullman; 672, John Lombard; 673, Patrick Dolan; 674, C. Binden; 675, D. Fallen; 676, P. Blanth;

677, Wm. Rubler; 678, Wm. Yellman; 679, Patrick Reilly; 680, J. McKearney; 681, J. W. Dennis; 682, W. Tellner; 683, John Ryan; 684, J. McKenna; 685, P. Sheridan; 686, C. S. Kelson; 687, F. Ackerman; 688, John Donahoe; 689, T. Finneland; 690, F. Hendrick; 691, C. Dunn; 692, J. McGurnback; 693, Edward Collins; 694, W. T. Ryan; 695, Thos. McNeill; 696, M. Garvin; 697, H. G. Weston; 698, M. Woods; 699, I. L. Sent; 700, C. E Lefferts; 701, Thos. Bair; 702, H. Cummings; 703, T. J. Pranchard; 704, T. Sulkin; 705, G. Ossingtingen; 706, O. McCormick; 707, T. J. Prinkhard; 708, M. Sherman; 709, J. Wiltmeyer; 710, John Zeigler; 711, T. Hanahan; 712, M. Gerry; 713, James Kasen; 714, E. Flood; 715, Wm. Kelly; 716, T. McKeon; 717, Thos. Hughes; 718, Wm. Rourke; 719, J. Costello; 720, O. Davis; 721, Michael Root; 722, P. Coughfinburger; 723, T. Heinehan; 724, John McCormick; 725, Patrick Tracy; 726, P. Heinsenger; 727, P. Conlan; 728, T. Fitzgerald; 729, J. Finnan; 730, M. Cullen; 731, M. Sommers; 732, John Besstick; 733, F. Bradley; 734, G. D. Hillion; 735, Denis Kehoe; 736, J. Breardan; 737, J. Golden; 738, F. Harman; 739, L. Frankle; 740, W. P. Burrell; 741, J. Elsner; 742, W. Conguest; 743, H. Goughran; 744, C. A. Farrell; 745, Peter McNary; 746, Patrick Hart; 747, E. Fitzgerald; 748, T. Fogerty; 749, E. Sullivan; 750, H. Kemberlin; 751, B. Buffley; 752, Michael Matthews; 753, Thomas Clyne; 754, William Tracy; 755, L. Farley; 756, D. Cunningham; 757, John Duffy; 758, J. J. Buas; 759, John Manning; 760, John Hennessy; 761, F. Thera; 762, H. Killeen; 763, A. D. Durrell; 764, James Kelly; 765, J. F. Hughhill; 766, S. B. Van Duzer; 767, L. Farley, jr.; 768, F. Jong; 769, G. L. Goetz; 770, J. Morgan; 771, Thomas Beatty; 772, B. Johnston; 773, A. Sweeleger; 774, B. B. Banker; 775, H. Sullivan; 776, F. Mullen; 777, P. Brennan; 778, John Dunn; 779, F. Braham; 780, P. McCann; 781, Edward Collins; 782, Charles Cofler; 783,, James Tracy; 784, J. Dunn; 785, J. H. Baunstoff; 786, Peter Breman; 787; H. C. Behrens; 788, Patrick Clancy; 789, A. Williams; 790; J. Lendigan; 791, J. Bass; 792, M. Flahagan; 793, John Reilly; 794, F. Calligan; 795, P. Wynne; 796, Denis Hickey; 797, C. Grudle; 798, Henry Smith; 799, F. Kilkenny; 800, P. Seery; 801, J. Smidt; 802, M. Hickey; 803, C. Nohouse; 804, J. D. Sullivan; 805, William Hubert; 806, M. Applewitz; 807, H. C. Doon; 808, John Collins; 809, T. Kane; 810, E. Freeman; 811, H. McKeonows; 812, James Hanley; 813, D. J. Dunn; 814, James Reilley; 815, Patrick Walsh; 816, P. Brithmern; 817, M. Leary; 818, James Fagan; 819, J. Spaulding; 820, Henry Ray; 821, E. Kerrigan; 822, B. McQueen; 823, R. Hill; 824, E. J. Conover; 825, R. Walker; 826, Moses Sour; 827, Patrick Kelly; 828, Samuel Ray; 829, P. Golding; 830, T. Muttle; 831, James Nalley; 832, B. Engman; 833, P. Carroll; 834, M. Murray; 835, P. McClovey; 836, T. B. Wheeler; 837, James Dolan; 838, J. Donnelly; 839, T. McGuire; 840, G. B. Wheeler; 841, J. A. Marshall; 842, D. Montgomery; 843, John Salmen; 844, C. W. Savage, jr.; 845, G. Marshall; 846, T. Paff; 847, Patrick Hughes; 848, J. McDermott; 849, J Cannon; 850, J. Geoghegan; 851, B. Smith; 852, M. Ryan; 853, J. Hammell; 854, M. Burke; 855, Patrick Daine; 856, F. Reynolds; 857, J. Murphy; 858, F. Armstrong; 859, B. McLaughlin; 860, John Ferris; 861, M. Bocker; 862, T. Butler; 863, H. H. Edenger; 864, M. Leary; 865, M. Garvin; 866, A. Schelter; 867, E. Corrigan; 868, J. C. Gaillard; 869, James Flood; 870, V. Lender; 871, M. Miller; 872, John Garner; 873, N. Clark; 874, William Loughley; 875, D. Lynch; 876, John Bowe; 877, B. Callahan; 878, F. Strum; 879, J. McGahey; 880, Robert Barstow; 881, M. O'Brien; 882, C. Bosher; 883, Joseph Giks; 884, D. Buckle; 885, P. Scully; 886, Adam Apple; 887, John Megrath; 888, M. E. Maycock; 889, M. Donahue; 890, O J. Clark; 891, Edward Murray; 892, Thomas Keenan; 893, John Smith; 894, W. H. Tracy; 895, Philip Pinkell; 896, D. McCullough; 897, P. Collins; 898, John Heaney; 899, D.

McGouldroch; 900, John Callaghan; 901, George Hafner; 902, James Mooney; 903, Michael Hackett; 904, J. Klyne; 905. E. Ries; 906, John Fitzgibbon; 907, J Scharkoff; 908, Edward Morris; 909, T. Hastings; 910, G. Klopfler; 911, J. H. Hendrickson; 912, Wm. Kain; 913, J G. Rickway; 914, Richard Coff; 915, William Sims; 916, B. Beglan; 917, John Kennedy; 918, Thomas A. Hart; 919, F. McMillan; 920, John Gibney; 921, T. Sanderson; 922, John McGoey; 923, D. D. T. Marshall; 924, James McGuire; 925, L. Savage; 926, J. Divine; 927, Philip Bird; 928, John Cullen; 929, F. McNiff; 930, Patrick Gany; 931, John H. White; 932, Alexander Scott; 933, T. Cuningham; 934, P. Crane; 935, Richard Kelly; 636, B. J. Donnelly; 937, James Carr; 938, B. Brennan; 939, J. F. Kiernan; 940, F. J. Tuomey; 941, C. Bender; 942, Owen Ward; 943, P. Fanner; 944, James Hughes; 945, Thomas Selotus; 946, Charles Bicker; 947, John H. Roy; 948, James McLaney; 949, John Hart; 950, M. Miller; 951, William Derbin; 952, J. B. Hendrickson; 953, George Clinchy; 954, B. Henich; 955, M. Kiernan; 956, Frederick Little; 957, Stephen Roff; 958, Thomas Conway; 959, P. Thorp; 960, John Dowling; 961, John Glennon; 962, J. Taggart; 963, George Hafner; 964, L. Carming; 965, M. Stack; 966, J. Gallagher; 967, John McKeever; 968, Peter McGrath; 969, John Rowan; 970, C. Shimler; 971, John Gallagher; 972, Patrick Welsh; 973, Hugh Kelly; 974, Patrick Conway; 975, M. Quigley; 976, John Hock; 977, Michael Hosey; 978, John Ryan, sr.; 979, Patrick O'Rourke; 980, C. Lehutter; 981, J. J. Kenny; 982, Peter McCarty; 983, Edward Antes; 984, Lawrence McCluskey; 985, Hugh Prestin; 986, Matthew Kriss; 987, Hugh Vaughan; 988, Bernard Manning; 989, Philip Hoffman; 990, Bernard Murtha; 991, Michael Benford; 992, A. Treubben; 993, Daniel Gillespie; 994, John Wensker; 995, Jacob Kolke; 996; James Mac Cormerky; 997, J. McCalidan; 998, George Bonesien; 999, John McDermott; 1000, J. O'Meara; 1001, L. Kiblin; 1002, Hiram Redder; 1003, Thomas Fowler; 1004, S. Dennison; 1005, John O'Brien; 1006, Peter Eichle; 1007, John Sheeran; 1008, James McNally; 1009, H. Lowenberg; 1010, M. Lichelas; 1011, C. Walmer; 1012, Jacob Marks; 1013, M. P. Sullivan; 1014, Thomas Fagan; 1015, A. T. Canfield; 1016, Matthew Fox; 1017, T. Menahan; 1018, Aaron Pope; 1019, John O'Brien; 1020, Michael Kelly; 1021, Charles O'Neil; 1022, John Dempsey; 1023, Joseph Rourke; 1024, Patrick Horan; 1025, J. M. Boyle; 1026, C. H. Wentworth; 1027, P. Doley; 1028, James Harley; 1029, John O'Donnell; 1030, John Kelly; 1031, John Irving; 1032, Henry L. Rabe; 1033, J. Calhoun; 1034, P. McGlenn; 1035; E. Gildersleeve; 1036, J. Gildersleeve; 1037, James White; 1038, J. Cassidy; 1039, H. Howicks; 1040, Peter Way; 1041, John Farrell; 1042, G. Von Nest; 1043, T. Glendon; 1044, Patrick Farley; 1045, John Muldoon; 1046, James Keanne; 1047, T. Bolger, jr.; 1048, P. Corcoran; 1049, Hugh McGamey; 1050, C. Dowd; 1051, Patrick Ward; 1052, J. O'Brien; 1053, J. McDonald; 1054, P. Mullaly; 1055, M. Hannegan; 1056; F. Klump; 1057, B. Smith; 1058, John Decker; 1059, I. I. Mooney; 1060, Jacob Sthate; 1061, A. Green; 1062, James Crawford; 1063, J. W. Bond; 1064, Charles W. Darling; 1065, Charles O'Brien; 1066, J. Connelly; 1067, George E. Hawkins; 1068, Martin Rine; 1069, P. Finnegan; 1070, Charles Watts; 1071, Henry Welsh; 1072, G. W. Gaffet; 1073, William Needham; 1074, T. McCarmard; 1075, J. Kennally; 1076, Patrick Sheny; 1077, R. Rislet; 1078, E. Marrenner; 1079, Peter Astem; 1080, David Fay; 1081, John Redding; 1082, Patrick Daily; 1083, P. Killem; 1084, Wm. Sinclair, jr,; 1085, C. Farkwell; 1086, P. Honan; 1087, Thomas S. Murphy; 1088, T. Flaherty; 1089, W. A Armstrong; 1090, James H. Ash; 1091, M. Kenny; 1092, James Butten; 1093, John Lane; 1094, Thomas Nickle; 1095, P. Devlin; 1096, W. Neutral; 1097, H. Henrecle; 1098, M. Gebegan; 1099, John Colbert; 1100, R. Teasdall; 1101, J. P. Kinney; 1102, J. Robintile; 1103, John Killen;

1104, M. J. Power; 1105, Henry Coach; 1106, L. Murtha; 1107, W. McGrath; 1108, James Curry; 1109. James Mulvey; 1110, John Reilly; 1111, O Colman; 1112, J. M. Hyde; 1113, P. P. McLarney; 1114, Wm. Conney; 1115. Thomas Clonan; 1116, P. Coughlan; 1117, Patrick McMahon; 1118, C. J. Breck; 1119, A. E. Taylor; 1120, J. McNally; 1121, J. H. Clarke; 1122, Benj. Ashley; 1123, James Stevens; 1124, H. A. Childs; 1125, B. Westheimer; 1126, C. Boylan; 1127, William Carroll; 1128, Thomas Douney; 1129, H. McKeon; 1230, W. S. Irving; 1131, Wm. Fitzpatrick; 1132, James Gilmore; 1133, F. B. O'Donnell; 1134; J. W. Owen; 1135, Stephen Friese; 1136, John Reddy; 1137, A. Kierchoff; 1138, P. Sullivan; 1139, A. D. Renton; 1140, J. McDermott; 1141, P. McCullough; 1142, H. S. Powers; 1143, James Linden; 1144, T. N. Waddock; 1145, Thomas Carney; 1146, John McGuire; 1147, P. H. Pickett; 1148, L. Cuningham; 1149, James Sheridan; 1150, R. H. Channing; 1151, John Trainor; 1152, E. Matthews; 1153, A. S. Dusenberry; 1154, John G. Coster; 1155, P. McKenna; 1156, A. Duryea; 1157, B. Green; 1158, Ed. Burke, of the eighth congressional district in the city of New York, and Thomas J. Smith, of the Ninth ward, Fr. R. Travers of the Tenth ward; S. N. Cohen, of the Eleventh ward; James Lynch, of the Twelfth ward; James Murray, of the Sixteenth ward, and George F. Browne, of the Seventeenth ward, all in the city of New York, and William H. Jordan, John Winslow, Daniel K. Smith, and C. C. Egan, all of the city of Brooklyn, and Colonel Lewis S. Baker, of Washington city, all of whom reside at the respective places above stated.

Dated New York, March 22, 1865.

JAMES BROOKS.

WILLIAM E. DODGE, Esq.:

SIR: Take notice that, not waiving the insufficiency of your paper, purporting to be a notice of intention to contest my election as a member of the House of Representatives in the thirty-ninth Congress, from the eighth congressional district of the State of New York, but reserving all and all manner of exception and objection thereto, I hereby give you notice that I intend, in pursuance of the act of Congress in such case made and provided, to examine the persons hereinafter named as witnesses in my behalf, and that the examination will be conducted in the city of New York, at the southwest corner of avenue B and Fifteenth street, on Monday, the 3d day of April next, at and after nine o'clock in the forenoon of each day, by and before the Hon. A. D. Russell the city judge of the city of New York, and at and after seven o'clock in the evening of each day, by and before the Hon. George G. Barnard, one of the justices of the supreme court of the State of New York. The names of the witnesses to be examined as aforesaid are as follows: 1, Thurlow Weed, of the city of Albany; 2, Francis Roller; 3, James Sanders; 4, William Bale; 5, Francis Cussich; 6, James Dermody; 7, Dennis Sullivan; 8, Daniel Kelly; 9, Thomas Fitzgerald; 10, James Murray; 11, Joseph I. Twombley; 12, William O'Conor; 13. John McNally; 14, John McKeon; 15, George Goetches; 16, Charles King; 17, Henry Krouser; 18, J. A. Tuttle; 19, John Pryor; 20, David Bell; 21, Bernard McCarty; 22, Robert Bell, sr.; 23, Patrick Carr; 24, John Kelly; 25, Patrick Callaghan; 26, E. H. Wildey; 27, Frederick T. Valentine; 28, Francis Rinn; 29, John Smith; 30, James Carlan; 31, Malcolm Ellis; 32, A Kiernan; 33, Owen Tiernan; 34, John Martin; 35, B. Kiernan; 36, William Keenan; 37, Richard Conner; 38, John McLaughlan; 39, B. Reynolds; 40, Richard Tinnen; 41, Patrick Stack; 42, Philip Fiegel; 43, James Terry; 44, Richard Callahan; 45, A. Rice; 46, Frederick Geis; 47. Edward Scanlan; 48, James Kavanagh; 49, George C. Lay; 50, C. B. Aldrich; 51, Thomas P. Clark; 52,

Godfrey Veigel; 53, Edward McElancy; 54; William Harris; 55, Michael C. O'Brien; 56, Cornelius Harmon; 57, A. Harris; 58, A. H. Gibson; 59, Michael Dempsey; 60, Thomas Moore; 61, Patrick Rinn; 62, Patrick Flannagan; 63, Patrick Drislane; 64, William Gamble; 65, John Gladd; 66, Patrick Murray; 67, Benjamin Kirk; 68, Dennis Maloney, 69, R. L. Peabody; 70, Charles Davis; 71, Patrick Hagen; 72, Bernard Dolan; 73, Henry McCabe; 74, Francis Logue; 75, James Dore; 76, John Molloy; 77, John B. Haney; 78, E. H. Parsells; 79, W. I. Holmes; 80, Timothy Sullivan; 81, F. F. Hainer; 82, W. E. Waldron; 83, John Connally; 84, Charles E. Davis; 85, George P. Philes; 86, J. Congulan; 87, Ed. Cunningham; 88, Thomas Farrell; 89, H. B. Porter; 90, James McGovern; 91, Joseph Nordenshild; 92, H. N. Avery; 93, William McDonald; 94, Philip Fitzsimmons; 95, John Cowan; 96, T. J. Duncan; 97, E. H. Rockwell; 98, Robert McGittgan; 99, Charles Barned; 100, Mortimer Livingston; 101, Michael McKedrick; 102, J. H. Weeks; 103, James Fee; 104, Felix Scullen; 105, G. Herman; 106, J. J. O'Brien; 107, Arthur Donnelly; 108, M. R. Clapp; 109, Jer. Spillan; 110, George H. Bennet; 111, Jno. Green; 112, Jno. Clary; 113, M. Gleeson; 114, Wm. Mooney; 115, Arthur C. Henry; 116, Wm. Nichkey; 117, Ed. Callahan; 118, H. Owens; 119, G. Mienhart; 120, J. Murphy; 121, Charles O'Neil; 122, Pat. Flannaghan; 123, C. L. Goddard; 124, A. Young; 125, J P. Davis; 126, Peter Cartright; 127, M. Mahony; 128, J. Wallace; 129, Ed Sweeny; 130, J. J. Griffiths; 131, Andrew Finnier; 132, C. New; 133, Wm Stevenson; 134, H. Hartz; 135, ——— McIntosh; 136, Thos. Riley; 137 Joseph Dooly; 138, Jno. Henry; 139, Henry Schooler; 140, M. Clary; 141, E. F, Cook; 142, Jno. E. Boden; 143, Joseph Jenkins; 144, Henry Zilch; 145, L. J. Kerr; 146, Thos. Daugherty; 147, T. B. Smith; 148, James Hines; 149, James Morrough; 150, P. L. Slaton; 151, Sam. Wally; 152, Jno. Duffy; 153. Andrew Carty; 154, James Faling; 155, Jno. W. Brady; 146, Owen Lamb; 157, T. Williams; 158, Daniel Gillespie; 159, Owen Lynch; 160, T. O'Reilly; 161, Phil. Rider; 162, Jas. Rider; 163, John Finn; 164, Jas. Smith; 165, Mark Tully; 166, Josiah Waller, jr.; 167, Josiah Waller, sr; 168, Dennis Shields; 169, C. O'Riley; 170, Peter Twamley; 171, Thoma. Hogan; 172, M. Berry; 173, R. E. Jeffries; 174, E. Tatum; 175, Edward Scully; 176, R. L. Murray; 177, Augustus Taber; 178, David S. Taber; 179, Jas. Riley; 180, John Hoy; 181, Thos. Fyano; 182, Jeremiah Murphy; 183, Jas. Delany; 184, Jas. Gray; 185, M. McGovern; 186, Edward Buons; 187, Ed. Kearney; 188, Samuel L. Schofield; 189, J. L. Schofield; 190, Robert Irwin; 191, Owen Clark; 192, H. W. Concklin; 193, Moses Concklin; 194, R. Wilson; 195, Owen King; 196, William Earle; 197, Dennis Farrell; 198, Wm. Farrell; 199, M. Durren; 200, David Egan; 201, Edward Birmingham; 202, Thomas Shelly; 203, H. Dierken; 204, Andrew Phelan; 205, William Lander; 206, John Delemater; 207, John Harrington; 208, Peter Pendergast; 209, Adam Scheze; 210, H. Welsh; 211, William M. Hopps; 212, Stephen Weeks; 213, Philip Peterson; 214, H. L. Sackett; 215, Pat. Calahan; 216, Pat. McGill; 217, James Goomley; 218, F. B. Porter; 219, James Coogan; 220, Peter Roberts; 221, R. H. Roberts; 222, Patrick Smith; 223, James Keegan; 224, James G. Armstrong; 225, Dennis Sullivan; 226, S. Southerland; 227, Patrick King; 228, M. McDermott; 229, Lawrence Phillips; 230, John Hagan; 231, John Dore; 232, John Love; 233, Dennis McLeoud; 234, Patrick Murphy; 235, L. Madden; 236, Pat. Kelly; 237, John Campbell; 238, John Quinn; 239, Adolph Liscome; 240, Henry Deerfield; 241, T. L. Coles; 242, C. T. Coles; 243, James Turner; 244, Michael Witty; 245, John Weldon; 246, H. B. Gleeson; 247, E. F. Meade; 248, John B. Betts; 249, Henry Denning; 250, Samuel Failay; 251, L. Byers; 252, D. J. Rooney; 253, Thos. Kelley; 254, James Balmer; 255, John F. McGovern; 256, John Madden; 257, Wm. Pichet; 258, Jno. Lorch; 259, T. Gertcke; 260, A. I. Hucherson; 261,

Patrick D. Ryan; 262, Jno. Wire; 263, Jno. J. O'Donnell; 264, J. Little; 265, W. Bach; 266, M. Cocoran; 267, W. P. Sniffen; 268, Richard Julien; 269, Pat. Reehill; 270, J. Parkes; 271 C. Wingate; 272, Jno. Russell; 273, J. P. Wingate; 274, Thos. Casey; 275, Jas. Bagley; 276, Tim Keaton; 277, J. Patterson; 278, M. Myers; 279, Jno. Keegan; 280, Samuel J. Collins; 281, Pat. Grady; 282, Jno. Alexander; 283, Robert Julian; 284, Chas. Keen; 285, John Cullen; 286, Pat. Connelly; 287, Pat Callan; 288 Peter Twambley, jr.; 289, Wm. McElvaine; 290, John Fagan; 291, Jas. Jones; 292, A. F. Smith; 293, Geo. Groucke; 294, John Sheridan; 295, Francis J. Mutz; 296, J. H. Cooper; 297, Edward Burns; 298, Pat. Burns; 299, John K. Brigman; 300, Peter Killen; 301, R. Fagan; 302, David Shote; 303, William A. Sherwood; 304, M. Tully; 305, C. Duffy; 306, M. Leddy; 307, Pat. Phalan; 308, Wm. H. Megee; 309, Tim. Callehan; 310, E. Johnson; 311, Thomas Fitzgerald; 312, James Scallen; 313, Thos. A. Coles; 314, Peter Kane; 315, Michael Darley; 316, G. H. Harrison; 317, P. H. Jackson; 318, John Mullaly; 319, George Fitzgerald; 320, L. Doran; 321, Daniel Burke; 322, Samuel Brocke; 323, John Agier; 324, P. J. Smith; 325, Robert Johnson; 326, C. K. Taylor; 327, M. Keegan; 328, John Miller; 329, T. H. Herman; 330, J. Kaufer; 331, Daniel Lane; 332, W. F. Robertson; 333, Robert Hoolahan; 334, William Reed; 335, Pat. McElroy; 336, James Cox; 337, Charles A. Stoddard; 338. John Morden; 339, Mat. Cole; 240, Pat. Connally; 341, Henry Ryan; 342, Michael Lee; 343, R. Stach; 344, William Braid; 345, James Kilroy; 346, M. Flannery; 347, Robert Jordan; 348, Joseph Cotten; 349, James J. Butler; 350, William Burke; 351, Charles Keicker; 352, L. Young; 353, Daniel McNally; 354, James Fitzpatrick; 355, D. Tracey; 356, Pat. Morris; 357, James O'Brien; 358, E. Masterson; 359, Charles H. Fowler; 360, Ed. O'Brien; 361, Peter Smith; 362, W. Sheehan; 363, Pat. Duffy; 364, Pat. Boylan; 365, Michael Bennett; 366, Pat. Larkin; 367, Francis McAlaney; 268, William Spear; 369, A. Davenport; 370, Sam. Brownley; 271, James Butler; 372, Thomas Colwell; 373, Henry Riddle; 274, Henry Duffy; 375, John McCormack; 376, A. Van Hauten; 377, George McDonald; 378, Charles Hovey; 379, Pat. Connally; 380, C. Brady; 381, P. Masterson; 382, C. F. Lander; 383, C. H. Ludikins; 384, R. Cohen; 385, Thomas McLaughlin; 386, John Cosgrove; 387, James Bloomer; 388, Harris Strahl; 389, James Brown; 390, Robert Hargate; 391, John Webber; 392, Leonard Kutz; 363, John L. Menther; 394, Patrick Martin; 395, Owen Riley; 396, Hugh Costello; 397, Hugh Brady; 398, Thomas Cassidy; 399, John J. Riley; 400, Joseph Strobles; 401, John Campbell; 402, Thomas Logan; 403, Pat. Costello; 404. M. Logan; 405, William McAuliffe; 406, A. Fetherston; 407, John Rinn; 408, P. Shehan; 409, Malcolm Smith; 410, John Kioke; 411, J. H. Fee; 412, F. J. Ferris; 413, D. W. Davis; 414, Pat. Martin; 415, John Sheehan; 416, H. Hut; 417, John Blithe; 418, M. Wallace; 419, B. Milmon; 420, John Broderick; 421, James Condon; 422, George E. Hoffman; 423, M. F. Parker; 424, — Hazelhurst; 425, John Coughlan; 426, William Schaffenberg; 427, T. P. Mahon; 428, John Reilly; 429, George W. Wingate; 430, David McGeraty; 431, John Morser; 432, Henry Kassing; 433, John Denmir; 434, James Farrell; 435, J. M. Davis; 436, Laurence McGiven; 437, Hugh Clark; 438, Thomas Stanton; 439, L. Phalan; 440, M. Cunningham; 441, James Caudon; 442, J. H. Montrose; 443, A. Hartman; 444, John McConnell; 445, Mike McGinnis; 446, William Haines; 447, Patrick Mullaly; 448, Willliam Danning; 449, Nesbit Long; 450, Patrick Cowan; 451, M. H. Kearey; 452, Patrick Gormley; 453, Miles H. Keamey; 454, John Gorman; 455, Peter Gilligan; 456, Francis Bradley; 457, Edward Gilroy; 458, George H. Kendal; 459, A. Campbell; 460, John McIntyre; 461, Thomas Bowen; 462, August Holstein; 463, Peter Carroll; 464, P. Mulligan; 465, Charles Bryant; 466, A. Fox; 467, Peter Buler; 468, L. Dungsteler; 469, Reuben Hoover; 470, W. A. Wallace; 471, William

Beldar; 472, Philip Bolander; 473, W. S. Gregory; 474, Simon Uriz; 475, John W. Post; 476, Thomas Dolan; 477, George Mahan; 478, T. Underhil; 479, Jacob Klinn; 480, Denis Davis; 481, James Stott; 482, O. J. Mills; 483, Reuben Hass; 484, W. P. Ward; 485, Felex Rourke; 486, P. Brenner, 487, T. Geaney; 488, O. Morris; 489, John Japan; 490, James Collins; 491, W. B. Roberts; 492, W. A. Hecher; 493, G. Sheehan; 494, P. C. Connelly; 495, J Kennelly; 496, Patrick Walsh; 497, P. W. Clayton; 498, A T. Vaughn; 499, L. W. Parker; 500, Joseph Vaughn; 501, C. McCabe; 502, E. F. Purdy; 503, Venron Vally; 504, T. Mastason; 505, G. Wetherbee; 506, C. W. Hammond; 507, John J. Neel; 508, Timothy McCarty; 509 Patrick McCarty; 510, W. Roche; 511, J. L. King; 512, James Conner; 513, James Conner; 514, J. R. Briggs; 515, Henry Colton; 516, H. Harvey; 517, Patrick Govern; 518 W. C. Conner; 519, V. Lawence; 520, Patrick Harn; 521, R. J. Hines; 522, John Quinn; 523, Patrick Coughlan; 524, Samuel McCarty; 525, M. McGuin; 526, James McArdle; 527, Edward Failey; 528, M. Geoghegan; 529, Henry Gasler; 530, M. McCochran; 531, J. P. Callender; 532, Thomas Moore; 533, P. Steiner; 534, Gilbert Martin; 535, Oscar Kelsey; 536, George W. Henden; 537, Edward Morris; 538, William Campbell; 539, John Kauff; 540, T. B. L. Wheeler; 541, John Murray; 542, Moses McGarity; 543, Patrick Barry; 544, Denis Carroll; 546, Patrick Carroll; 547, John Gray; 548, M. Murray; 549 Edw. Brady; 550, C. Higgins; 551, Thomas Murray; 552, John A. Campbell; 553, James Carroll; 554, Charles Jennings; 555, Robert Bell, sr.; 556, George Wilson; 557, B. McCabe; 558, J. Murray; 559, Terence McGuire; 560, M. Donnelly; 561, J. McLaughlin; 562, F. A. Sampson; 563, P. Stiner; 564, W. H. Ross; 565, Frederick Able; 566, J. Lounde; 567, Peter Ellis; 568, William Baker; 569, John Baldwin; 570, Arthur Devlin; 571, A Baldwin; 572, Tim. O'Conor; 573, Thomas Hosea; 574, J. McDermott; 575, N. Shaunessy; 576, B. Finnegan; 577, John McGloine; 578, R. Whelan; 579, Robert Carroll; 580, Peter Cahill; 581, E. C. Boughton; 582, Michael Healy; 583, D. B. Arnold; 484, M. McClusky; 585, Patrick Smith; 686, J. O'Shaughnessey; 587, L. Flynn; 588, F. Petry; 589, James Flannigan; 590, Peter Seery; 591, A. M. Secor; 592, Jacob Ascal; 593, William Jeffers; 594, M. Gaffney; 595, Thomas Biglar; 596, A. I. Brady; 597, Joseph Kerr; 598, Edward Murphy; 599, John Spaling; 600, Benjamin Weeks; 601, John Weeks; 602, Charles Boulton; 603, John Mahon; 604, John O'Brien; 605, John Doran; 606, R. S. Guernsey; 607, P. J. Hickey; 608, James Carcklin; 609, David D. Bland; 610, J. H. Barmstoff; 611, M. Eagan; 612, H. Dickinson; 613, D. O'Hagan; 614, M. Cotter; 615, John Roth; 616, John Sheehan; 617, A. S. Hendricks; 618, George Nider; 619, John Lynch; 620, John Burke; 621, James Tobin; 622, Thomas Casey; 623, James Riley; 624, John McDermott; 625, Otman Krichoff; 626, P. Murphy; 627, F. Nedley; 628, M. Malvehan; 629, N. Frank; 630, James Wright; 631, P. O'Neil; 632, James Wright; 634, Felix McCarty; 635, Edward Fahey; 636, F. Ayres; 637, P. Hatton; 638, C. Farrell; 639, James Maxwell; 640, John F. Kyler; 641, F. Watson; 642, James Salmon; 643, Charles Wells; 644, John Welch; 645, H. Martin; 646, Isaac Work; 647, A. D. Ketchum; 648, Andrew Little; 649, Robert McAllister; 650, Edward Prince; 651, Patrick Ryan; 652, H. Robinson; 653, Herman Verich; 654, John Julian; 655, John M. Batter; 656, James Flattery; 657, James Moore 658, Robert Hood; 659, John G. Hovey; 660, Daniel Mulholland; 661, John Levy; 662, Thomas Wren; 663, W. A. McDermott; 664, Stephen Flynn; 665, James Brogan; 666, Robert Heurtt; 667, Robert Saulsbury; 668, Robert Campbell; 669, W. H. Vancott; 670, M. Cunningham; 671; James Beuvas; 672, John Dempsey; 673, C. McGuiness; 674, T. A. Henderson; 675, George King; 676, C. Bumgastner; 677, John Boyle; 678, William E. Dodge, jr.; 679, John Brennon; 680, T. Froment; 681, P. H. Pickett, of the eighth con.

gressional district, in the city of New York, and T. A. Wilmart, Samuel Brown, and J. T. Davis, of the Ninth ward; L. W. Phillips, of the Twenty-second ward; Samuel Brown, of the Seventeenth ward; Andrew J. Smith, of the Tenth ward; James Henderson and M. B. Abrahams, of the Fifteenth ward; all in the city of New York; and David Tilton and William H. Tilton, of the city of Brooklyn; all of whom reside at the respective places above stated.

Dated New York, March 24, 1865.

JAMES BROOKS.

In the matter of William E. Dodge *against* James Brooks.—Contested election.

To the honorable the House of Representatives:

I, John R. Brady, a judge of the court of common pleas for the city and county of New York, before whom the annexed testimony was taken, residing, at the time of taking said testimony and the doing of the acts hereinafter mentioned, in the eighth congressional district of the State of New York, do hereby certify that, upon the application of the said James Brooks, a writ of subpœna was issued by a judge of a court of record, residing within the eighth congressional district, to all such witnesses as were named by him, requiring the attendance of such witnesses before me at a day and place fixed therein, in order to be then and there examined respecting the said contested election; that the said James Brooks, ten days before the day appointed for the examination of the witnesses, gave notice in writing to the said William E. Dodge of his intention to examine witnesses, which notice contained a statement of the time and place of the proposed examination, the name of the officer who would conduct the same, and the names of the witnesses and their places of residence; that the witnesses whose depositions are hereto annexed attended in obedience to said subpœna, or voluntarily, at said time and place, and were examined on oath by me touching all such matters and things respecting the said election as were proposed by the parties aforesaid, or either of them, or by their or either of their agents or attorneys, and the testimony of the witnesses, together with the questions proposed by the said parties or their agents or attorneys, I caused to be reduced to writing in my presence and in the presence of the said parties and their attorneys, and to be duly attested by the witnesses respectively; that the said examination was commenced on the twenty-second day of March, 1865, and was continued by regular adjournments from time to time until the twenty-fourth day of March, 1865, when the same was concluded; and that the schedules annexed contain the said testimony and the whole thereof.

JNO. R. BRADY,
Judge Common Pleas, New York.

Testimony for Mr. Brooks, taken before Hon. John R. Brady, one of the judges of the court of common pleas.—Mr. Waterbury and Mr. Anthon for Mr. Brooks; Mr. Phelps for Mr. Dodge.

WILLIAM E. DODGE
against
JAMES BROOKS.

WEDNESDAY, *March* 22, 1865.

Daniel W. Clarke sworn.

Examined by Mr. ANTHON:

Question. You are a lawyer?

Answer. Yes, sir.

Question. Where do you reside?

Answer. Four hundred and ninety-seven Second avenue.

Question. Were you present at any of the polling places during the canvass in the election of November last?

Answer. On the evening of the election—or, rather, I should say you might call it night—about nine or ten o'clock, I think it was, I was at the district while they were canvassing.

Question. What district was that?

Answer. It was the district where Mr. Baker and John H. White were canvassers, and I think it was the third district of the Twenty-first ward. It is in the same street where Judge Brady lives.

Question. State, in your own way, what you saw there on that evening.

Answer. I went there with Richard B. Connolly—Senator Connolly; went inside where they were canvassing. Mr. White and Mr. Baker were canvassing, and I think there was but one clerk there. Sat there for, I suppose, half an hour.

Question. No other canvasser or clerk?

Answer. Two canvassers and one clerk; I think it was one clerk. Mr. Connolly and myself got up and walked out. Stood at the door for a few minutes. Mr. Baker, one of the canvassers, and Mr. White, the other canvasser, left and went over across the street.

Question. Where did they go?

Answer. I can't say positively; yes, I understood Mr. Baker to say, "We are going over to Parker's."

Question. What is Parker's?

Answer. He keeps a liquor store there.

Question. Where abouts is it?

Answer. Nearly opposite Thirty-third street. It is on the opposite side of the Sixth avenue, in the Twentieth ward.

Question. Was the canvassing then completed?

Answer. Oh, no.

Question. Had it been begun?

Answer. I think they had completed one or two offices. I don't know; at all events, they had not completed.

Question. Did you go into the canvassing room after they left?

Answer. We stood at the door, Mr. Connolly and myself—another gentleman was standing there—his honor Judge Brady. We stood there, I suppose, for at least half an hour, and I think it was nearer an hour; at all events it was at least half an hour; they had not come back at that time; when Mr. Connolly and myself and Judge Brady walked toward the Fifth avenue, and there we stopped, talking, a few minutes opposite Judge Brady's house, and left; Mr. Connolly and I walked away; Judge Brady turned and went into his house, and we came away.

Question. Do you know who were in that polling place at that time—in that canvassing place?

Answer. Well, there was a railing; I think there was a railing that separated the outsiders; there were several persons came in and out.

Question. Were there persons there witnessing the canvassing, or was the room entirely empty?

Answer. There were persons witnessing the canvassing at the same time that I and Mr. Connolly were there.

Question. So that when Mr. White and Mr. Baker went away, there was no canvasser left there at all?

Answer. No canvasser left there at all.

Cross-examined by Mr. PHELPS:

Question. What were the initials of this Mr. Baker?

Answer. Charles W.
Question. Do you know the politics of Mr. Baker?
Answer. Yes, sir.
Question What are they?
Answer. Democratic, like myself.
Question. And the politics of Mr. White?
Answer. Yes.
Question. What are they?
Answer. Republican.
Question. Do you know the name of the clerk?
Answer. I do not.

By Mr. ANTHON:

Question. Would you know it if you heard it?
Answer. I might.

Mr. PHELPS:

Question. How do you know this party, whom you took to be a clerk, was not a canvasser?
Answer. I did not say he was not a canvasser.
Question. You said there were only two canvassers and one clerk?
Answer. I said there were only two persons there that I saw that were can vassing; Mr. White was one and Mr. Baker the other.
Question. How do you know the third person, whose name you did not know, was not a canvasser?
Answer. I do not know.
Question. After the withdrawal of Mr. White and Baker, there was still left in the room a party apparently acting under official sanction?
Answer. There was nobody acting; there was one gentleman there who I supposed was the clerk.
Question. But you don't know but he was a canvasser?
Answer. He was not canvassing; it was closed.
Question. Was he a canvasser?
Answer. I don't know.
Question. This third member of the board was present all the while when White and Baker withdrew. This third party remained by the ballots?
Answer. Well, I don't know that; I think he did.
Question. Were the ballots at this time exposed upon the table?
Answer. I saw some ballots lying round the table.
Question. Were there large piles of ballots on the table as they are when first taken from the boxes?
Answer. I think not; not that quantity.
Question. When these gentlemen withdrew, how many ballots should you think there were loose upon the table?
Answer. I could not say; what would be scattered around.
Question. Were there fifty?
Answer. I should think there were.
Question. What made you think that the canvass had already commenced?
Answer. Because I saw it. I was there during the time of their canvassing.
Question. How do you know the canvass was not ended?
Answer. Because we were waiting to hear the result of some other candidate, an election for some other candidate, and they had not commenced. I think it was the congressman.
Question. During the time you stood with Senator Connolly and Judge Brady by the door, did you see any one enter the enclosure where the table was by which this canvasser sat?

Answer. I can't say that I did.

Question. Did you see any one touch any of the votes—the ballots—except this canvasser?

Answer. I can't say that I did.

Question. Did you see this canvasser take from his pocket any number of ballots, put them upon the table, and take from the table the same number of ballots?

Answer. I saw nothing of the kind.

Question. You saw then no irregularity, except the one which you conceive to be an irregularity—in the fact that two canvassers withdrew?

Answer. I saw one or two persons—in fact it might be considered an irregularity, which I think it was—come in from the further end of the room—from a door at the further end of the room—and come inside the railing; there appeared to be a door at the further end of the room that this person came in at.

Question. Was it one person, or more than one?

Answer. I don't remember seeing more than one.

Question. Did this person touch the ballots?

Answer. I can't say that he did.

Question. How near to the table did he come?

Answer. There appeared to be a passage; I should say as near as that, (indicating.)

By Mr. ANTHON:

Question. Not more than a couple of feet?

Answer. Not more than a couple of feet, I should think.

By Mr. PHELPS:

Question. Did he come within the railing?

Answer. I did not observe that he did.

Question. Then he came within the room, but did not come within the railing?

Answer. I can't say whether he did or did not.

Question. Do you know that this person who came so near, although he did not go within the railing, was not a clerk?

Answer. I can't say that.

Question. Did Judge Brady remark upon this gross irregularity, which he saw for half an hour, standing at the door?

Answer. I don't know, I am sure, whether the judge made any remark or not, but I believe I made a remark, "Those two fellows are going to take a drink before they finish."

Question. That was the extent of the protest?

Answer. That was one remark.

Question. Did you make any more formal protest than that very kindly remark?

Answer. I protested against it because they did not ask us to go with them.

Question. Did either of them appear to have had too much?

Answer. I don't say that.

Question. You don't know how long they were gone?

Answer. They appeared to have been gone about half an hour, and I should think three-quarters.

Question. Do you know whether they went to get a drink or their supper?

Answer. I don't know whether they had supper and drink or not; they said they were going to have a drink.

Question. Did Judge Connolly enter any formal protest?

Answer. Not Judge Connolly—Senator Connolly.

Question. Did Senator Connolly make any protest?

Answer. Well, we laughed about it when we went away; we thought—well, I won't say what we thought; our opinions both were expressed, that they had no business to go away—that it was against the law; that they were liable to have the district thrown out; I made the remark myself.

Question. Did you express it to them?

Answer. No, sir; I did not see White and Baker, I think, again that night; the next time I saw them I recollect telling them about it and laughing about their going away.

Question. Do you know whether Mr. White or Mr. Baker had been acting as inspectors during that day?

Answer. I do not; I was not there during the day.

Question. Do you not know that it is not uncommon for the same gentleman to act both as inspector and canvasser?

Answer. Well, I don't know that it is uncommon or common.

Question. Have you known such a case?

Answer. Well, I don't know of such a case until this last election; it seems to me it was permitted only this last year.

Question. If either of these gentlemen had been acting as inspectors during the day, from sunrise until sunset, and it has grown to be quite dark, would you not think they would need to go out for supper or nourishment?

Answer. I should think they might, but I should not think they both would go away together; when I was inspector I did not do so.

Question. These two that withdrew were of opposite politics?

Answer. Yes—paired off.

Mr. ANTHON:

Question. From the position in which you were at the door of that place in relation to the place where the canvassing was going on, could not frauds have been committed in reference to those votes without your seeing it?

Answer. Undoubtedly there could.

D. W. CLARKE.

Attest: JOHN R. BRADY, *J. C. P.*

Jeremiah Mahoney sworn.

Examined by Mr. ANTHON:

Question. Did you hold any office in connexion with the November election?

Answer. No, sir; I was canvasser on the day of election, that was all.

Question. Where were you canvasser?

Answer. In the third district of the Twenty-first ward.

Question. Who were your associate canvassers?

Answer. I think Mr. Heissman and Mr. Fitz Simmons.

Question. Did you canvass the votes deposited for the different offices, and especially for member of Congress?

Answer. Yes, sir.

Question. Did you make that canvass honestly and truly?

Answer. Yes, sir.

Question. You certified the result of that canvass as required by law?

Answer. I have done so.

Question. That certificate was verified by the other canvassers also, was it not?

Answer. Yes, sir.

Question. Was that certificate made by you correct?

Answer. It was.

Question. Was there any impropriety or dishonesty in the conduct of the canvass or of certifying to the result of it?

Answer. No, sir.

Question. Did you vote at that election?

Answer. I did, sir.

Question. Did you vote for Mr. Brooks?

Answer. I don't think it is fair to ask such questions; I decline to answer; I will answer if I am required to. I don't recollect really whether I voted for him or Mr. Barr at that election. I could not swear which of the two I voted for.

Cross-examined by Mr. PHELPS:

Question. Are you a republican?

Answer. No, sir.

Question. Is Mr. Fitz Simmons a republican?

Answer. I have always understood he was a democrat.

Question. Mr. Heissman—is he a republican?

Answer. I think he is.

Question. During the night of this election I want to know whether Mr. Heissman seemed to you peremptory and overbearing in his interference in the canvass?

Answer. No, sir; he acted just, in my opinion.

Question. Did he not at any time insist against your wishes in matters connected with the canvass?

Answer. No, sir, he did not; no difference at all.

Question. Was he particularly forward and energetic in enforcing his opinions?

Answer. No, sir; there was no trouble at all among us canvassers.

Question. Had Mr. Heissman been inspector during the day?

Answer. I think he was.

Question. Did he sleep any during the canvass, towards morning?

Answer. I think, coming to a close, (we got through about five o'clock in the morning,) he dozed, I think, but he did not sleep.

Question. Did he give any reason for being so dozy or sleepy?

Answer. I forget the reason he gave when I told him to hurry up and have us get through.

Question. Do you remember what reply he made when you told him to hurry up and get through?

Answer. I don't remember what reply he made.

Question. About what time in the night was it when you noticed him being dozy and sleepy, and told him to hurry up?

Answer. I think it was about the close of the canvass, when we were very near through.

Question. About what hour?

Answer. I think it was about five o'clock in the morning.

Question. You could not swear that he fell really asleep?

Answer. No, he did not fall really asleep; he had the tickets in his hands.

Question. How was he during the early part of the evening? Was he very bright?

Answer. He was.

Question. I suppose you would not like me to ask you what was the character of Mr. Fitz Simmons?

Answer. I suppose I would be satisfied to answer anything fair.

Question. What is Mr. Fitz Simmons's business?

Answer. He keeps a liquor store corner of Thirty-first street and Second avenue.

Question. Wholesale or retail?

Answer. I suppose he would sell wholesale if he got the order.

Question. Does he generally sell at wholesale or retail?

Answer. Retail, I believe, is his business.

Question. Did you ever see a bounty-jumper or several bounty-jumpers in his bar-room?

Answer. I don't know what you call bounty-jumpers.

Question. Do you know of his having gone to Elmira to obtain the release of a bounty-jumper?

Answer. I do not, sir.

Question. Did you keep a tally during the night?

Answer. I did, sir.

Question. Have you got that tally?

Answer. I was looking for it this afternoon, but I could not find it.

Question. Who has ever asked you for it before this?

Answer. No person has, sir.

Question. When did you see it last?

Answer. I think I saw it four or five weeks ago among the papers in my desk.

Question. Are you sure you saw it there then?

Answer. I am, sir; I am sure it was there I saw it last.

Question. Have you destroyed it since?

Answer. I know I could not find it when I was looking for it to-day.

Question. Have you destroyed it since?

Answer. I don't know what I did with it; I might have destroyed it.

Question. Don't you think if you had destroyed it you would have remembered the fact?

Answer. Well, I can't tell what I done with this tally; I think I saw it in my desk about five weeks ago.

Question. Did you destroy it?

Answer. Perhaps I did.

Question. Don't you know certainly?

Answer. No, sir.

Question. Will you swear you did not destroy it?

Answer. I won't.

Question. Are you willing to swear that no inquiries were made of you for this tally, by Mr. Heissman, subsequently to the November election?

Answer. I know that I had the tally down at the office of the board of supervisors there one day; there was some trouble about one of the returns, and I took it with me.

Question. I want to know if Mr. Heissman did not ask you, after the election, for that tally?

Answer. Not that I recollect, sir.

Question. Are you willing to swear that no one has asked you for this tally since the election?

Answer. I don't recollect of anybody asking me for it, sir.

Question. Did Mr. Heissman keep a tally?

Answer. I don't think he did. I would not swear positively whether he did or not.

Question. Did Mr. Fitz Simmons keep a tally?

Answer. I think he did; yet I am not positive of that either—whether he kept a tally or not.

Question. What makes you think he did?

Answer. He was canvassing the same as I was. He might have kept tally, for all I know.

Question. Did you see him?

Answer. I saw him make marks.

Question. Upon his tally?
Answer. Yes, upon a sheet of paper.
Question. Were you present at that polling place during the day, while election was going on?
Answer. Oh, I was back and forth to the polling place; I was not there all day.
Question. Did you take any liquor there?
Answer. I might have taken liquor in the house that day.
Question. Don't you remember that you took liquor there?
Answer. I did not take very much liquor the same day.
Question. Don't you recollect you took liquor there?
Answer. I did.
Question. How many glasses did you take?
Answer. I don't recollect.
Question. Did you take ten?
Answer. No, sir.
Question. Did Mr. Fitz Simmons give you this liquor?
Answer. I can't recollect whether Mr. Fitz Simmons or his bar-keeper.
Question. Either Mr. Fitz Simmons or his bar-keeper gave it to you?
Answer. Very like, sir.
Question. Did he give it to others besides you?
Answer. Yes.
Question. Many others, or few?
Answer. I don't think there were many.

Re-examined by Mr. ANTHON:

Question. This tally that you kept, did it correspond with the return made?
Answer. It did, sir.
Question. And both were correct?
Answer. Yes, sir.
Question. You made a return to the board of supervisors of the canvass?
Answer. Yes, sir.
Question. You made a return to the county clerk?
Answer. Yes, sir.
Question. And you made a return, when ordered, to the supreme court?
Answer. Yes, sir.
Question. So you made three returns?
Answer. Yes, sir.
Question. Do you remember in what order the law requires the votes to be canvassed?
Answer. No; I don't remember, sir.
Question. What ticket did you canvass first that night?
Answer. I think I canvassed the State ticket, sir.
Question. Was it the presidential?
Answer. I think it was the presidential first.
Question. Do you recollect what time you finished the canvass of the presidential ticket—what hour?
Answer. I don't remember.
Question. What tickets did you canvass after the congressional ticket—do you remember?
Answer. I can't recollect the order now.
Question. Do you recollect whether any tickets were canvassed after the congressional ticket?
Answer. I don't remember.
Question. You don't remember what the order was at all?
Answer. No, sir.

Question Do you remember what tickets were voted at that election?
Answer. There was the presidential, and State, and congressional.
Question. And what others? Was there not an assembly ticket?
Answer. Yes, sir.
Question. And a city and county ticket?
Answer. Yes.
Question. And a supervisor's ticket?
Answer. Yes; I think there were five.
Question. There was also a judiciary ticket, was there not?
Answer. Yes, sir.
Question. Can you tell me about what time you finished the canvass of the congressional ticket—anywhere within an hour?
Answer. No; I can't tell.
Question. You concluded the canvass about five o'clock in the morning?
Answer. Yes, sir, about that.
Question. Do you recollect how long before that you had finished the congressional ticket?
Answer. I can't remember which we canvassed last. I think it was the city and county ticket we canvassed last, but I could not swear to it. I know the city and county took a very long time.
Question. You know there is an order prescribed by law for canvassing?
Answer. I did not read the law.

Re-cross-examined by Mr. PHELPS:

Question. You say you think there were five tickets to be counted. Can you give me the names of the five?
Answer. There was the presidential, and there was the State, I think; and the city and county, supervisors, I think, and judiciary.
Question. Was anything said during the canvass about the order in which they ought to be canvassed?
Answer. I don't recollect now, sir; I think it is likely; we canvassed them in order.
Question. You don't recollect that there was any discussion as to what order they should proceed?
Answer. I don't recollect.
Question. Who was chairman of the board, of you three?
Answer. I think Heissman was.
Question. Should you think that Mr. Heissman kept watch of everything that was going on?
Answer. Yes, sir.
Question. Now, if he was so dozy and sleepy, how would he keep watch of everything?
Answer. He was not dozing and sleeping until toward morning; he dozed all of a sudden, and I told him he must hurry up, so we could get through.
Question. You hurried him up suddenly?
Answer. Yes, sir.
Question. During this long night's work, did either of you gentlemen take any liquor?
Answer. I think we did, sir; I would not like to work so long without.
Question. Did our friend Heissman take liquor also?
Answer. I think he did.
Question. Who furnished this liquor?
Answer. We got it in the house.
Question. Did Mr. Fitz Simmons give the order?
Answer. I forget whether he gave the order or not.
Question. Who paid for the liquor?

Answer. I think it is likely I paid for some myself.
Question. Do you remember paying for it?
Answer. I think I did, sir.
Question. How much did you drink?
Answer. Not very much—not a barrel full.
Question. Which took most—which of the three of you?
Answer. I don't know, sir, which drank the most.
Question. Did you drink more than the other men?
Answer. I don't know, sir.

JEREMIAH MAHONEY.

Attest: JNO. R. BRADY, *J. C. P.*

Adjourned to March 23, at 7½ p. m.

THURSDAY, *March* 23, 1865—Evening session.

Le Grand B. Cannon sworn.

Examined by Mr. WATERBURY:

Question. Are you a friend of Mr. Dodge?
Answer. Yes.
Question. Political and personal?
Answer. I am.
Question. Where do you reside?
Answer. In the Twenty-first ward, at 311 Fifth avenue, between Thirty-first and Thirty-second streets.
Question. Did you take an active part in the last congressional election?
Answer. Yes.
Question. Were any meetings held at your house upon that subject?
Answer. Yes.
Question. How many?
Answer. Well, I was under the impression that there was one, but I conclude there must have been more from the testimony I have heard here. I don't know but what there were more, come to think of it; but I think there must have been two general meetings there.
Question. When were they held?
Answer. The dates I can't recollect.
Question. About what time?
Answer. Well, within two or three weeks of the election.
Question. Who were present at any of the meetings held at your house in relation to the November election?
Answer. Well, there was Mr. Cummings H. Tucker, Mr. James Kelly, Mr. John H. Sherwood, Mr. Thomas B. Aspen, Mr. Esterbrook.
Question. Mr. Dodge?
Answer. I think not; possibly Mr. Dodge may have been at one meeting; but I think not.
Question. Mr. Phelps?
Answer. I believe not, sir.
Question. Mr. Cowdin?
Answer. Mr. Cowdin, I think, was there, and others; there must have been more than that; I attended so many meetings.
Question. Mr. Opdyke?
Answer. No, sir.
Question. Mr. A. T. Stewart?

Answer. No, sir.

Question. Can't you recollect any other person who was present at any meeting or consultation at your house?

Answer. I had so many meetings at the committee-rooms with the same gentlemen that I should confound them as to places.

Question. Then you had a great many meetings at your house?

Answer. Not more than two; we had lots of other places to meet at.

Question. Can't you think of any other person who was present at your house?

Answer. I think the delegates from the wards were there.

Question. Mr. Daniel W. James?

Answer. I think not.

Question. Was Mr. Thomas Murphy there at any of the meetings?

Answer. Yes; a Mr. Murphy; I don't know his first name; president of the association of this ward.

Question. Mr. William R. Stewart?

Answer. Yes.

Question. Mr. Gridley?

Answer. I am not certain.

Question. Mr. Daniel D. Connover?

Answer. No.

Question. Alderman Ottiwell?

Answer. No; he was not.

Question. Was Mr. Peter Cooper there?

Answer. No, sir.

Question. Was the subject of funds to be contributed or paid for or toward the November election for any purpose mentioned or talked over at any of the meetings held at your house?

Answer. Yes, sir.

Question. At both of them?

Answer. That I don't know; I don't remember that; it certainly was at one; I am confident that there was more than one general meeting at my house.

Question. Was a subscription entered into at your house?

Answer. No.

Question. Was any money subscribed or paid or promised at your house?

Answer. Subscribed, paid, or promised; no, sir.

Question. Was any finance committee appointed at any meeting held at your house, or was any one (or more than one) gentleman designated for the purpose of raising money, or of ascertaining if money could be raised?

Answer. Upon my word I don't comprehend that question.

Question repeated.

Answer. No, sir.

Question. In respect to what point was there any discussion upon finances at either of the meetings held at your house?

Answer. There was a discussion with reference to the appropriations for the several wards of the district—the eighth congressional district, I believe.

Question. What was said upon the subject?

Answer. Well, the amounts that it was thought would be required in each one of these wards—I think by the ward associations; something of the sort. I am not very familiar with the organization of the party.

Question. What amount was it stated would be required?

Answer. That I don't recollect, sir.

Question. About what amount?

Answer. I think at the meeting it was said from three to five hundred dollars would be required for each ward—something like that. It might have been less, or something more; not very much more, and certainly not much less.

Question. For what purpose was it stated, at any of the meetings at your house, that money would be required, or could be usefully expended?

Answer. I don't recollect anything else.

Question. For what purpose, other than the raising of money, were these meetings held at your house?

Answer. For purposes of general organization, printing, examination of registry, and reports upon those subjects.

Question. Was there not a place or places where committees met to attend to these matters regularly?

Answer. Well, that I don't know. I never was at any except at the general committee-room.

Question. Did you never hear that there were committees appointed, or places at which meetings were held in that district?

Answer. Yes; I know that there were headquarters in the different wards.

Question. I am speaking now of central committees and meetings—central for the district.

Answer. Yes; I know of one that was central—a central committee for the district.

Question. Where did that meet?

Answer. Corner of Twenty-third street and Fifth avenue, on Broadway.

Question. Opposite the republican headquarters?

Answer. Nearly opposite.

Question. Were the meetings held at your house in opposition to the meetings held at that place?

Answer. Not at all, sir. That was a general committee-room of the friends of William E. Dodge.

Question. What number of persons do you think were present at the largest of the meetings held at your house?

Answer. Well, perhaps twelve or fifteen; ten to fifteen.

Question. Don't you think there were more than fifteen?

Answer. I should think not. There certainly were not twenty.

Question. Am I to understand you that a thousand or fifteen hundred dollars is the most that it was proposed to raise in all, or to procure in all, at either of the meetings held at your house?

Answer. Yes, sir; that was the most that was proposed at any of the meetings at my house. We did not propose to raise anything in my house.

Question. At either of the meetings in your house, did any person mention or state a sum of money larger than one thousand dollars which it would be necessary or desirable, or expedient, to procure or raise for the purpose of being expended in that congressional district?

Answer. Well, I don't know that there was any conversation in regard to the amounts that might be necessary or intended to be expended. I have no recollection of any such conversation.

Question. You say the subject of raising money was talked of there?

Answer. I beg your pardon; I don't think I have stated anything of the kind.

Question. You stated that the subject of expending money was talked about?

Answer. That is a very different matter.

Question. What sum was it stated, at either of the meetings held in your house, could be or should be expended in that congressional district at that election?

Answer. I don't know that that subject was discussed. I have no recollection that it was discussed.

Question. Will you be good enough to state what subject was discussed at the meetings held at your house?

Answer. I stated we made an appropriation, by a vote there, of not less than three nor more than five hundred dollars for each one of the wards in the district.

Question. Out of what fund was that money so voted to be paid?

Answer. Out of the general fund in the hands of the committee.

Question. What committee?

Answer. The committee that was present there.

Question. Then the committee that was present there had a general fund?

Answer. They had a general fund, I suppose.

Question. Do you know?

Answer. Well, I may say I know, from the fact that I voted for the appropriation. I assumed it to be there.

Question. Who was chairman of the committee, which met at your house, which had the general fund?

Answer. I think it was Mr. Cummings H. Tucker.

Question. Who was treasurer of that committee?

Answer. That I don't know; I know that Mr. Tucker presided at the meeting; I think he presided at the meeting, and I think he was the chairman of the committee.

Question. Did you contribute towards that fund?

Answer. I think I did.

Question. To whom did you pay your contribution?

Answer. That I really don't know; I could not recollect now; I don't know who; I paid it to some one, I am sure.

Question How much was the amount you contributed?

Answer. One hundred dollars.

Question. Nothing more than that, all told?

Answer. Nothing more that I contributed to that fund.

Question. Did you procure any subscriptions to that or any other fund in that congressional district?

Answer. Yes.

Question. To that, or some other?

Answer. To that fund.

Question. Did you procure any subscriptions to any other fund?

Answer. Not that I am aware of.

Question. From whom did you procure subscriptions to that fund?

Answer. Mr. George B. De Forrest, I think, was a subscriber, and, I think, Mr. Marshal O. Roberts; I think Mr. W. W. De Forrest, Mr. George Griswold —well, a good many; I circulated so many subscription papers that I get them confounded; I do not recollect, but I know I was tolerably successful.

Question. How much money do you think you raised, in all, toward that fund?

Answer. Well, I don't recollect; I know the paper I had, I think, had some $2,500 on it, or thereabout.

Question. Who else besides yourself had a paper to raise money for that fund?

Answer. I think Mr. John H. Sherwood had a paper; I don't know that Mr. Cowdin had not; I am very certain Mr. Cowdin had a paper.

Question. To whom did you pay that $2,500 that you raised?

Answer. Well, I received the subscriptions, but I don't know that hardly in any case I collected; I turned that paper over to some member of the committee; who it was, I don't know; I can't recollect; I presume the treasurer, but who he was I don't really know; I collected very little of it, if any; I think I collected something, perhaps five or six hundred dollars, from some of my immediate family.

Question. Who did you pay that money to?

Answer. I think I paid it over to Mr. Cummings H. Tucker; I think it was $500, or something like that—five or six hundred dollars; it was a part of the

appropriation made at my house; I paid it over to the Twentieth ward; I think it was to them.

Question. Then the amount you paid to them was part of an appropriation, made at your house, for the Twentieth ward?

Answer. Yes, sir.

Question. What was the total amount appropriated, at your house, for the Twentieth ward?

Answer. I don't know that I could say; I think there was a difference; some wards, I think, got $250, and some over $500, but I think the total of it would not average $500 to a ward; that is my impression.

Question. Now, I wish you would be kind enough to trouble your memory a little, to recollect how many general meetings were held at your house?

Answer. There certainly were not more than two.

Question. How many special or private meetings or conferences were held at your house on this subject?

Answer. I could not tell; they were very numerous, I have no doubt; there were no meetings held at my house by appointment, except these two, if there were two; the others were purely incidental; I was called upon by individuals.

Question. Do I understand you that there were no meetings, except those two, at which two or more persons met at your house by consent?

Answer. I think there were none, sir; in fact I know there were not more than two, and I have no recollection of any other meetings being at my house by appointment; an individual came in to see me, perhaps, with reference to the canvass, and he might have met another there, but there was never any by concert.

Question. As your memory is so indefinite in regard to the persons from whom you procured subscriptions for this fund, may I trouble you to tell me from what persons previous to the November election, and after the nomination of Mr. Dodge for Congress, you received money for any political purpose, or procured subscriptions from for any political purpose?

Answer. Well, I have no recollection of procuring subscriptions for any political purpose in this city except this; I am not aware of procuring subscriptions, or circulating a paper.

Question. Be pleased to mention every person from whom you procured subscriptions last fall for any purpose, except such subscriptions as you know you procured for purposes other than political.

Answer. Well, I have circulated subscription papers for a variety of charities here connected with the war.

Question. Please to state the name of every person from whom you procured money or the subscription of money previous to the last November election, and after the first day of September, for any purpose whatever, except you know and remember that the purpose for which the money or subscription was received was for a purpose other than political?

Answer. Well, I circulated no subscription in this city previous to the election, for I did not come to this city until just before the election; I had not lived here in five months, and I circulated no subscription for any political purpose whatever, except this one at the election of Mr. Dodge.

Question. I want you to mention the name of every person from whom you received money, or a subscription of money, except you know it was not for a political purpose.

Answer. I could not undertake to answer that question.

Question. State every one you recollect.

Answer. I shall confine myself to a recollection of those as to whom I am positive; my recollection of receiving subscription for political purposes is from Mr. W. W. De Forrest, Mr. George R. De Forrest, I think; Mr. Marshall O. Roberts, Mr. O. D. F. Grant, Mr. George Griswold; I don't know whether

from Mr Charles H. Marshall; I could not undertake to say; I may, possibly, from him; those I have a very positive recollection of.

Question. You say those are persons from whom you received subscriptions. Now, from whom did you receive money?

Answer. That I could not undertake to say; I collected a portion of this, but a very small portion.

Question. Can you by taxing your memory for a minute, recollect the name of any other person from whom you received money, or the subscription of money, last fall for a political object?

Answer. Yes, sir; I received some money at my house from Mr. Dodge; that, however, I believe, was the day after election, or the day of the election; about that time.

Question. Who else?

Answer. Well, sir, I cannot recollect others.

Question. Now, you will please mention the name of any other person from whom you received money, or the subscription of money, or the promise of money, besides those you have mentioned, unless you distinctly remember that the purpose for which you received such money or subscription was not political.

Answer. I have no recollection of receiving any money or subscription.

Question. For any purpose, unless you remember it was not political?

Answer. I don't remember receiving any subscription between those dates except for this one purpose, but I received sums of money; I received a good many in that time, but those were private matters; I don't remember anything else; I think this was the only case in which I received subscriptions from the time I came from the country.

Question. These are the only names you can recollect?

Answer. Yes, sir; there were others, and I would be most happy to give them if I could recollect them.

Question. Did not any of the gentlemen present at any of these general meetings held at your house pay or subscribe or promise money for the purposes of the election?

Answer. No, sir. There were no subscriptions ever made at my house.

Question. Mr. Sherwood thought there were some made there.

Answer. Then we differ in our memories. I am very confident there were none. There was no necessity for it then.

Question. At what meetings held at places other than your house in that congressional district were you present at which the subject of money to be raised, procured, or expended in that congressional district was talked over or discussed?

Answer. At the headquarters of William E. Dodge, at the junction of Broadway and Fifth avenue.

Question. At how many meetings were you present at that place at which the subject of finances was discussed?

Answer. I could not tell; pretty much every night; nearly every night I was in there.

Question. Was there an organized committee meeting at that place?

Answer. Yes, frequently.

Question. Who was chairman of the committee?

Answer. I think Mr. Cummings H. Tucker. It was the same committee that met at my house.

Question. What was said at those meetings held at the junction of Broadway and Fifth avenue on the subject of finances?

Answer. Well, to particularize I could not; I don't remember.

Question. State anything you can remember was said.

Answer. The general tone of it was to have sufficient moneys to carry Mr. Dodge in as the successful candidate, and to beat Mr. Brooks.

Question. What amount or amounts of money did you hear mentioned at any such meeting for any purpose?

Answer. Well, I don't know that I recollect any amounts. Amounts were discussed. It was the appropriations for several wards. In fact, there was no appropriation made down there. I believe the appropriation was made at my house.

Question. Did you ever hear any statement at any such meeting of any money or any amount of money, or any person from whom money could be or should be collected or procured?

Answer. I don't know that I ever did, sir.

Question. You made a statement a minute ago in reference to the money that should be raised to carry Mr. Dodge in. What amount was it stated would be necessary for that purpose, or should be raised for that purpose?

Answer. I don't think that point was ever discussed as to amounts.

Question. What did you mean by what you stated in regard to that? What was stated upon that subject?

Answer. Well, I have no recollection as to amounts. I don't think that a sum was ever considered or talked about there. We responded to the opinions of the delegates from the wards there as to what they required.

Question. Did you ever hear at any such meeting any amount of money mentioned for any purpose whatever?

Answer. Yes, sir.

Question. What amounts did you hear mentioned?

Answer. I heard the amounts mentioned of from three to five or six hundred dollars that were required by each one of the wards in that congressional district.

Question. Did you hear no amounts mentioned for any other purpose?

Answer. Yes, sir.

Question. What other purpose?

Answer. Printing.

Question. How much for printing?

Answer. Well, I don't recollect.

Question. Did you hear at any such meeting any amount mentioned for any other purpose?

Answer. Yes, sir; renting rooms for public meetings.

Question. For any other purpose?

Answer. No; I have no recollection of any other. Those three I recollect because they came up as proper subjects for the meeting to desire.

Question. Were the exertions and time of so many gentlemen, many of them of large wealth, and all of them having a great deal of influence with men of wealth, required to such an extent for the purpose of raising amounts so comparatively small and for purposes so ordinary?

Answer. No, sir; the meeting of those committees was for more important matters.

Question. What were the more important matters?

Answer. The most important matter, and the one that consumed most time in all the meetings we had, was to get Mr. Manniere to retire.

Question. What was said upon that subject?

Answer. Not very much said, but there was a good deal written.

Question. I want you to state what was said upon two points in that connexion: one in relation to soldiers' votes, and the other in relation to Mr. Manniere's expenses, or money to be paid in any manner whatever, or for any purpose whatever in connexion with Mr. Manniere's withdrawal.

Answer. I don't think there was any discussion on any such subject as soldiers' votes, or Mr. Manniere's expenses.

Question. Did you hear it mentioned?

Answer. I happened to be on the committee as to Mr. Manniere's withdrawal, and I know all about it.

Question. Did you never hear it mentioned that probably there were a large number of soldiers who would vote for Mr. Manniere as a candidate for Congress?

Answer. On the contrary, I heard the reverse.

Question. Any discussion as to Mr. Manniere's votes?

Answer. I don't know that I heard it at any of those meetings, but I heard at some meeting that Mr. Manniere's votes had been sent to the front of the lines in connexion with the electoral ticket; that some general or State committee would send them down; but I afterwards heard that they were not sent; on that subject we were comparatively easy.

Question. Was Mr. Manniere nominated as a republican candidate for Congress by one of the organizations of this Union party?

Answer. I don't know whether it was the republican or the Union party; he was nominated by a portion of the republican or Union party, I don't know which. We thought he bolted the party; in other words, we thought he went into a convention and got beaten in that convention, and then went out and was nominated there; so I understood; I was not in the convention.

Question. Do you mean to say by that that you thought he went into the convention that nominated Mr. Dodge?

Answer. Yes, took his chances.

Question. What office did Mr Manniere hold at that time?

Answer. I understood he was provost marshal.

Question. Have you any doubt on the subject?

Answer. I don't know the man.

Question. As a public fact, have you any doubt of it?

Answer. No; provost marshal of this district.

Question. It is a fact?

Answer. Yes; a notorious fact.

Question. As you were one of the committee that had charge of the interesting and delicate matter of the withdrawal of Mr. Manniere, will you tell us on what terms he did withdraw?

Answer. Well, sir, he withdrew very handsomely, without making any terms whatever. I was appointed a committee with Mr. Cowdin and somebody else that I don't remember; I don't know but Mr. Tucker. Yes, Mr. Tucker, I am quite sure; Mr. Cowdin, Mr. Tucker, and myself were the committee that had the correspondence with him; I never met him.

Question. Did you ever hear at any time what Mr. Manniere's expenses probably were?

Answer. Never, sir; it never was stated to us as a committee, and I never heard it as an individual.

Question. Who represented Mr. Manniere in those conferences?

Answer. Well, I can't remember the name of one of them; I never met them in my life; what we did was by correspondence.

Question. Can't you recollect the names of the persons, or either of them, that you corresponded with?

Answer. I think Mr. Waldo Hutchins.

Question. Was Rufus F. Andrews one?

Answer. No, sir; Cephas Brainard, I think, was one.

Question. Did Senator Morgan take any part or exert himself in relation to the same matter?

Answer. I believe he did, sir.

Question. What part did he take?

Answer. I believe he advised Mr. Manniere to retire; at least I heard he did.

Question. Do you know or have you heard of his conferring with your committee or any member of it on that subject?

Answer. I don't think he ever conferred with the committee, but I believe I asked him once individually to see Mr. Manniere and advise him to retire.

Question. Won't your check-book or some account-book of yours show from whom and what amounts of money you received last fall for political purposes, and to whom they were paid?

Answer. No, sir.

Question. At either of the meetings at your house was anything said in relation to Mr. Barr being or not being a candidate for Congress?

Answer. I have no recollection of Mr. Barr's name being mentioned at my house.

Question. Do you recollect hearing it mentioned at any of the meetings you attended at the junction of Fifth avenue and Broadway?

Answer. I do, sir; it was canvassed at some of those meetings—the relative strength of Mr. Brooks and Mr. Barr.

Question. Did you hear anything said at either of those meetings in relation to the probability or possibility of Mr. Barr ceasing to be a candidate for Congress?

Answer. Yes, sir; I heard that canvassed.

Question. What did you hear on that subject?

Answer. It was constantly canvassed by members of the committee; some being very confident that Mr. Barr would withdraw; others that Mr. Brooks would withdraw.

Question. I would like to know what was said?

Answer. That was all that was ever canvassed—the probability of their relative strength and the possibility of their both continuing to be candidates; we felt it was an important matter that both of them should run.

Question. And were willing to exert yourselves reasonably to secure that end?

Answer. Certainly we were.

Question. Did you ever hear at any time or at any place any statement made in regard to the payment of any money in any manner in connexion with the subject of Mr. Barr being or not being a candidate for Congress?

Answer. No, I don't know that I ever did.

Question. Or continuing to be?

Answer. No, I don't know that I ever did.

Question. State, then, what you have heard at any time or in any place in relation to money in connexion with Mr. Barr's name?

Answer. Well, I have seen a publication in the paper.

Question. I asked what you have heard.

Answer. I have heard a variety of statements made, that Mr. Barr received sums of money to continue on the course, from public rumor.

Question. State what you heard?

Answer. I won't undertake to state what particular things I have heard; I can relate any of my matters with Mr. Barr.

Question. State all that you have heard as near as you can.

Answer. Well, I will state my whole intercourse with Mr. Barr on that subject clearly and distinctly; I don't know how to state it unless I give it generally. Mr. Barr called upon Mr. Cowdin and myself—I think three or four days previous to the election—with a view of inducing, obtaining our influence to induce, Mr. Dodge to withdraw from the canvass, on the ground that he was the regularly nominated democratic candidate, and a war candidate, and that we agreed with him in sentiment on that subject, and that his chance was certain, provided he could be the only war candidate in the field, and Mr. Barr was very

earnest in endeavoring to persuade us, and we, on the other hand, were very earnest in endeavoring to persuade him to retire.

Question. Were you as earnest as he was?

Answer. No, I don't think we were; but I know we were earnest; I have no doubt that I was as earnest in advising him as he was earnest in advising me.

Question. State all the conversation as near as you can.

Answer. Well, that was the amount of the conversation I had with Mr. Barr in relation to the matter. He said, "You are very strong here in your support of Mr. Dodge, and he will get a certain amount of democratic votes in this district."

Question. Where did you meet Mr. Barr?

Answer. At Mr. Cowdin's house.

Question. Did you meet him more than once?

Answer. Never more than once to my recollection. I have met him more than once, but never but once on this subject. He came to Mr. Cowdin's house. I was not aware Mr. Barr was coming there when I went there.

Question. Did you ever meet him at any other time or place, either accidentally or by appointment, in which you had any conversation with him?

Answer. Never but once—not in a period of years. I remember seeing him some years ago; never but once to my recollection.

Question. Will you please state all that conversation that took place at Mr. Cowdin's house as nearly as you can?

Answer. After a long interview with Mr. Barr on this subject, and satisfying him Mr. Dodge could not withdraw, we proceeded to canvass with him the relative strength of the candidates—the vote of the district—what we supposed it would be; it was Mr. Barr's opinion that whoever received seven thousand votes would be elected; Mr. Barr's impression was that Mr. Dodge would be the lowest candidate in the field, judging from, as he said, the previous votes of the district. We asked him what his strength was—how he was going to divide the votes. Well, he thought it had looked as if he was going to get the largest vote, but from some cause or other the foreign vote was being drawn from him largely, and therefore he might fall short of Mr. Brooks's vote. Mr. Brooks had men of wealth in the party working for him; besides that, he thought he had the strength of the foreign vote. It was an object with us, as a matter of course, to divide that vote as much as possible; that was our object. We canvassed the relative strength of the candidates there for a long time.

Question. State all as near as you can.

Answer. We asked Mr. Barr with reference to his means of carrying on this election—how far he had means. Well, he said he was short of means; that he had received but a small amount from Tammany Hall, and had not a great deal himself, and we proposed to aid him with means, stating to him that we should prefer, if we were satisfied that Mr. Dodge could not be elected, to elect him; and if we had not been very certain about our candidate as we went into the election, we should have made an effort to elect Mr. Barr. After a long negotiation with Mr. Barr, we asked him how much money it required for him to man the polls, provide boxes for ticket distributors, &c., and he said an election in this district would cost about $5,000; I think it was something of that kind. We then proposed, if it was necessary, to furnish him $2,000—Mr. Cowdin and myself.

Question. What further was said?

Answer. Mr. Barr considered that matter for some time, thinking, he said, that it might be sufficient; he would make all the attempt he could, and we agreed to furnish that amount if it was necessary, and if he was elected we agreed to give him a thousand dollars more.

Question. State all that you can.

Answer. That is about all there is of it.

Question. Can't you recollect anything else that was said?

Answer. I cannot particularly; that was the sum and substance of the thing from the beginning to the end of my interview with Mr. Barr.

Question. About how long before the election was this conversation?

Answer. In my opinion it was one, two, or three days. I think it was Saturday or Sunday before election.

Question. Was anything said at that meeting by any person in relation to any help that had been extended to Mr. Barr by any Union or republican organization, or by any individual or committee?

Answer. Nothing of the kind was said that I am aware of.

Question. Out of what fund was this $2,000 to be paid?

Answer. Out of the fund in the hands of Mr. Cowdin and myself.

Question. Who had the custody of the fund?

Answer. Mr. Cowdin, I think, had the custody of the fund; this was rather an individual enterprise of ours; we took the responsibility ourselves, and Mr. Dodge never knew anything about it or anybody else.

Question. Was that money paid?

Answer. I did not pay it.

Question. Did you ever hear it was paid?

Answer. Yes, sir.

Question. From whom did you hear it was paid?

Answer. I think I might have heard it, possibly, from Mr. Cowden.

Question. You never have been called upon for the thousand dollars?

Answer. No; but I should be very glad to be, and ten on top of it.

Question. Please to state, as near as you can, what Mr. Barr said at that meeting in regard to his claims upon the Union or the republican party, or his merits as a candidate for them to support.

Answer. No other than that he was a supporter of the war; that he was a democrat—the regularly nominated candidate of Tammany Hall.

Question. Did he make any statement in regard to the fact that he had held a position under the administration of Mr. Lincoln?

Answer. Yes, I think he did; I think he stated he was a quartermaster, or some one attached to the quartermaster's department; that he was a democrat, but a supporter of the war.

Question. Did he not state the assistance that he or his friends, or some of them, had rendered to the Union cause at any previous time?

Answer. No, sir; he made no statement of his past services; the simple claim was that he was a supporter of the war, and a democrat, and therefore his chances of election were better than anybody elses, provided Mr. Dodge would withdraw.

Question. I understood you that he admitted he was running behind on the foreign vote.

Answer. Yes; he said he felt that he was not as strong as Mr. Brooks, although he was stronger than Mr. Dodge.

Question. He felt that he was being cut on both ends—by the men of property and the men without property?

Answer. I don't know that he used that expression.

Question. That, I understood, was the idea.

Answer. Taking the middling classes—the "back-bone," I had not met him in some years before.

Question. I wish you would think what further you can recollect as to this conversation.

Answer. This was a business arrangement; that was about the substance of it from the beginning to the end; we considered it a very great object—in fact, we had no hope of electing Mr. Dodge otherwise; we thought this was a war district, and wanted to consolidate the vote if we could; we felt very confident of

Mr. Dodge's strength in comparison with Mr. Barr, although many of our committee thought Mr. Barr was the strongest.

Question. Have you heard at any time, or had you any reason to suppose, that Mr. Barr received from any Union or republican source whatever, any other sum of money than the $2,000 you have mentioned?

Answer. I don't know that I have.

Question. Please to think, so that you can answer that question positively.

Answer. I know I tried to get him some more money, sir, but I did not succeed.

Question. Why did you try?

Answer. With a view of making him run as strong as I could; I tried to get some money out of the State committee, but I did not succeed; I thought I had the promise of it.

Question. Are you a member of the State committee?

Answer. No, sir.

Question. Were you present at a meeting when that subject was discussed?

Answer. No, sir; I saw a member of the State committee—no, he was not; I saw a person who I thought would be influential with the State committee.

Question. Who was that gentleman?

Answer. Mr. Thurlow Weed, but he did not respond to my application.

Question. Did you talk with any other person on the subject of furnishing money to be paid to Mr. Barr?

Answer. Not that I am aware of.

Question. Will you tell me about what the aggregate amount of the money you contributed, directly or indirectly, towards the election of Mr. Dodge was?

Answer. I contributed individually $100.

Question. I want to know what was the aggregate amount of your contributions, directly or indirectly, towards the election of Mr. Dodge.

Answer. Do you mean both as an individual and as a member of a committee?

Question. In any way?

Answer. I spent money in other ways. I could not form any opinion.

Question. Was it as much as one thousand dollars?

Answer. Possibly. I subscribed but one hundred dollars; I don't think it was fifty dollars beyond that.

Question. You said possibly a thousand?

Answer. Yes; but I don't think it was fifty beyond.

Question. Can't you recollect any more definitely than that?

Answer. No, sir.

Question. Do you know or did you ever hear that Mr. Manniere received any money, whatever, for withdrawing, or in consequence of his withdrawing, as a candidate for Congress?

Answer. No, sir. I never heard anything of the kind, nor do I believe he received one cent.

Question. Have you any list or memorandum of subscriptions of money to be expended in this congressional district?

Answer. No, sir.

Question. How large was that fund of Mr. Cowdin's, out of which Mr. Barr was paid?

Answer. I have no knowledge, sir.

Question. You said you received some money from Mr. Dodge on the day of the election. How much was that amount?

Answer. I think it was five hundred dollars.

Cross-examined by Mr. PHELPS:

Question. Were you on General Wool's staff at the time or during a portion of the time he commanded at Fortress Monroe at the beginning of this war?

Answer. I was, sir.

Question. You said you took a warm interest in the result of this last election?

Answer. I did, sir, a very warm interest.

Question. What time did you come to your city residence from the country?

Answer. I think it was about the 20th to the 25th of October.

Question. Do you know if at that time Mr. Dodge had received the nomination of the Union party?

Answer. He had received it.

Question. Do you know if at that time the committee with reference to which you have been so long questioned was already found or not?

Answer. I really don't know. I was advised very soon after I came here that I was on that committee.

Question. Were you present at the first meeting of the committee, or did you find it organized?

Answer. I think it was organized.

Question. It is not so strange, then, that you don't remember the officers of the committee?

Answer. No, sir; it had been organized and had been in session some time.

Question. You were active in getting subscriptions. Do you think that any one individual raised any more or as much as you did?

Answer. Well, possibly they might have done so.

Question. Do you know of any one?

Answer. Very likely Mr. Sherwood might have raised as much as I did.

Question. Do you know of any other person except Mr. Sherwood that solicited subscriptions?

Answer. I don't know of any one. I don't know that we did not have a common paper.

Question. You are confident that the amount you raised alone did not exceed twenty-five hundred dollars?

Answer. Yes, sir.

Question. Are you not sure that the united amount, represented on a common paper, raised by you and Mr. Sherwood was twenty-five hundred dollars?

Answer. Well, perhaps that might have been near the amount. Twenty-five hundred dollars on this common paper we had; it was circulated by both of us at different times.

Question. You stated that three to five, or possibly six hundred dollars—certainly some sum within this limit—was paid to the Union organizations of the various wards?

Answer. Yes, sir.

Question. For what purpose did these organizations employ these amounts?

Answer. For paying the expenses of their respective wards, for printing, for making these ticket boxes, and employing men to make them. I am not familiar with it, but I believe that was it.

Question. Are you familiar enough with their organization to know that they had no means of support except by the subscription of loyal citizens?

Answer. I am, sir.

Question. That each ward had rooms for meetings, and other expenses connected with them?

Answer. Yes, sir.

Question. Are you familiar enough with the politics of the city to know whether or not it is customary for those who have received the honors of nomination by their party to contribute somewhat to the expense of the canvass?

Answer. Yes, sir; very largely.

Question. Would it strike you that in view of the expenses of a presidential campaign, and the well-known wealth of the Union candidate for member of Congress, five hundred dollars to each of the wards was excessive?

Answer. Very light, sir.

Question. Was there much discussion in fixing this amount?

Answer. None at all, sir.

Question. The committee was unanimous that that would be a proper sum?

Answer. Yes.

Question. Are you in active business?

Answer. No, sir.

Question. Do you devote your leisure, to a great extent, to the furtherance of loyal causes?

Answer. I do, sir.

Question. Have you, for purposes connected with the war, passed many subscription papers among your fellow-citizens?

Answer. I have.

Question. Are the names of subscribers to these loyal objects generally pretty much the same?

Answer. Yes, sir.

Question. Was a majority of the names upon this subscription paper which you circulated for Mr. Dodge the same as those usually appended to the loyal subscription lists referred to?

Answer. Yes, sir, in that district.

Question. Will you state what are the necessary expenses of a campaign in this city, having reference to the fact that there are some forty-five polling places in the three wards?

Answer. Well, I never have had much to do with the city; I have known more about country districts. I thought it was very light here. We did not spend half as much money as we did in the district I was in before.

Question. Did the republican organization provide for each of these polling places as many as three polling-booths?

Answer. As many as that.

Question. Did they supply ballots?

Answer. Yes, sir.

Question. Are there other expenses besides the renting of halls?

Answer. Yes, sir.

Question. Do you know enough of the politics of this district to tell one what were the politics of the three candidates that were in the field?

Answer. Well, I know that Mr. Dodge was the Union man—the loyal man.

Question. I wish particularly to know which was the regular democratic nominee.

Answer. I suppose Mr. Barr was the regular democratic nominee, if Tammany Hall is regular; I am not posted. Mr. Barr charges that Mr. Brooks was not the democratic nominee.

Question. To your knowledge was Mr. Barr ever a member of the know-nothing party?

Answer. I don't know, sir.

Question. To your knowledge was Mr. Barr ever a whig?

Answer. I don't know, sir; I don't know anything about Mr. Barr. He told me he was in the Quartermaster's department.

Question. Is it a strange thing to find a single democrat attached to the army of the United States?

Answer. There are democrats in the army of the United States.

Question. Then you do not think it a singular thing that there should be this one democrat—Mr. Barr—in the army?

Answer. No; I have a good many friends in the army who are democrats.

Question. Then the fact that Mr. Barr was willing to contribute what he did to the support of the loyal cause did not convince you that he was not a democrat?

Answer. No, sir.

Question. You stated with some fulness an interview which took place between Mr. Barr, Mr. Cowden, and yourself. How was this interview brought about? In other words, who had the initiative of the meeting?

Answer. Mr. Barr, as I understood it.

Question. Did Mr. Barr come to you first, or did you go to him?

Answer. Mr. Barr came to us first.

Question. Do you remember any arguments which Mr. Barr used to induce you to withdraw Mr. Dodge in his favor except that he had been a loyal man and was the more likely of the two to be elected?

Answer. He used the argument that he was certain of support as the nominee of Tammany Hall from the democratic party, and that Mr. Dodge's vote (Mr. Dodge and his friends consenting) could be given to him as a war candidate.

Question. Did Mr. Barr say anything with reference to Mr. Brooks's nomination, as to the regularity of it?

Answer. Yes; he said he was not a democratic candidate; that he was an old whig; that he was disloyal, &c. He made a variety of charges.

Question. Did you state that Mr. Barr said that Mr. Brooks was supported by the men of wealth and the poor men as well; or did you say, as I understood you, that he was supported by men of wealth and the foreign vote?

Answer. Yes; largely by the foreign vote.

Question. He did not say he was supported by the poor?

Answer. No, sir; by the foreign vote—more particularly the Irish vote.

Question. Did he state that at the beginning of the canvass, and previous to this transfer of the foreign vote, he believed that he was the stronger candidate?

Answer. He did, sir.

Question. Did he tell you what bargain was made by which the vote of this foreign population was transferred?

Answer. He did not, sir; he said he had had overtures made to him by the other side to withdraw, and very handsome sums offered him to do so.

Question. Did he mention what time?

Answer. I can't recollect; I think $5,000 had been offered by Mr. Brooks's friends if he would retire.

Question. Did he say that he was bound to stay upon the track any way?

Answer. Yes, sir.

Question. You then paid him $2,000 not to keep him on the track, but to aid him in his expenses?

Answer. I did not pay him anything.

Question. $2,000 was paid with your consent and approval?

Answer. Yes; I agreed that he should have $2,000.

Question. State whether the $2,000 was given to have him still continue a candidate or not?

Answer. It was given to increase his vote.

Question. I want to know whether the $2,000 was given to keep him on the track—in other words, whether he was going to withdraw unless he obtained some money?

Answer. No, sir; he did not propose to withdraw.

Question. Did you hear of any money being given to Barr by any republican organization?

Answer. No, sir.

Question. Do you think there was any money given to Barr for his expenses by any republican organization?

Answer. I don't know, sir.

Question. About this $2,000 that was given to Mr. Barr: had you consulted any one also except Mr. Cowden with reference to the propriety of giving it?

Answer. No, sir.

Question. Did any one except you and Mr. Cowden, previous to the making of this arrangement, know of your intention to do it?

Answer. I don't think they did.

Question. It was, then, a private and friendly arrangement on your part?

Answer. Yes; and grew out of that interview with Mr. Barr entirely.

Question. When did Mr. Dodge first become acquainted with this fact?

Answer. Well, I don't know; I don't know that he knew anything about it till after the election; I have no recollection of his knowing it; I don't think he knew anything about it.

Question. In the event of Mr. Dodge's defeat, you would have preferred the election of Mr. Barr?

Answer. Most decidedly.

Question. On what ground?

Answer. Because he agreed more nearly in sentiment with me—in supporting the war.

Question. Do you know of any money being given to influence any man's vote?

Answer. No, sir.

Question. Do you know of anything being done in the canvass, in which you were largely interested, that was unfair or dishonorable?

Answer. No, sir.

Question. You have stated that Mr. Dodge gave some money at your house. Will you state the amount?

Answer. Five hundred dollars.

Question. What did you do with this $500 that Mr. Dodge gave?

Answer. $100 of it was paid to Mr. Thomas Asten, one of our committee, and the balance I gave back to Mr. Dodge after the election.

Question. Now, with reference to a matter foreign to your direct examination, I ask your opinion, because the opinion of other witnesses has been industriously sought. Supposing you were anxious to procure information in a district with reference to the residence of parties in that district, and there was one man, who, from his long residence in the district and his intimate acquaintance with most of the residents, was particularly well calculated to obtain it; but, on the other hand, this man being somewhat poor, retained the vest and cap, which he had worn in the service of the United States some two years previous. Granting these conditions, the fact that he was well known in the district; that it was known that he had not been in the army for two years; that in making his inquiry as to whether the citizen he sought resided in the house, he said distinctly, "It is not for the purpose of the draft, it is for the contested election," would you think it would be impossible for him to obtain a true answer?

Answer. No; I should think not, and I don't know why it should be.

Question. Would you suppose that the fact that he wore a vest with brass buttons and a cap of military shape, covered with leather, would prevent people who had known him for a great many years, and knew he had been out of the army for two years, from telling him the truth?

Answer. I should think they would be as likely to tell the truth to him as to a man that wore a felt hat; I don't know why not.

Re-examined by Mr. WATERBURY:

Question. In that interview you had with Mr. Barr at Mr. Cowden's house did he mention the name of any other democrat who was a supporter of his?

Answer. No, sir; I don't think he did; I have no recollection of anything being mentioned.

Question. Any democrat who was supporting him, or any democrat who was interesting himself in his support?

Answer. I have no recollection his alluding to any one.

Question. D.d you have any conversation with any other democrat, or with any man who was recognized as a democrat, or regarded as a democrat, other than Mr. Barr, on the subject of Mr. Barr's candidateship?

Answer. I have no recollection of it.

Question. Do you know whether Mr. Barr had a relative who was a prominent member of the Tammany Hall organization?

Answer. No, sir; never knew it till I saw it in the paper.

Question. Did you have a conversation with him?

Answer. No, sir, never. I never had any conversation with any person in connexion with the matter of Mr. Barr, except with Mr. Barr himself and Mr. Cowdin.

Question. You stated that you regarded Mr. Barr as a war democrat?

Answer. Yes, sir.

Question. My friends on the other side called an expert on that subject and examined him, who gave his definition of a war democrat as a man who was half way a republican. Do you concur in that definition?

Answer. No, sir; I do not. I supposed that Mr. Barr was a politician, but a supporter of the war.

Question. Do you know what office Mr. Barr held?

Answer. Not till he told me.

Question. He told you?

Answer. Yes, sir; something to do with the quartermaster—assistant quartermaster, engaged in the horse department.

Question. Do you know what his duties were in connexion with the horse department?

Answer. His special duties? No, sir; I don't know what his duty was, whether purchasing or selling, examining or inspecting.

Question. They don't carry him to the front?

Answer. I think they might.

Question. Were you an assistant quartermaster?

Answer. No, sir; quartermasters that have to do with horses, especially cavalry, are often carried to the front.

Question. You never heard of Mr. Barr being to the front?

Answer. No, sir.

Question. According to common report, is not the office of assistant quartermaster one which gives to a person filling it, having a desire to avail himself of the opportunity, a chance to make considerable money?

Answer. Yes; if he is a dishonest man, he could certainly.

Question. How much did Mr. Marshall O. Roberts contribute, directly or in-indirectly, towards Mr. Dodge's election, so far as you have any knowledge?

Answer. One hundred dollars, in my paper.

Question. How much did Mr. Grant?

Answer. I don't know; one hundred dollars I believe; I don't think it was more than that.

Question. Mr. George B. De Forrest—directly or indirectly?

Answer. I think he gave me and gave to others.

Question. So far as you have any knowledge?

Answer. I think he gave one hundred dollars to me, and I think he gave five hundred dollars to another committee.

Question. Mr. W. W. De Forrest?

Answer. I believe he gave twenty-five hundred dollars to the committee—some of them; I rather think it was a general committee.

Question. Mr. Charles H. Marshall?

Answer. That I don't remember; I think it was one hundred dollars. The mass of my subscriptions were one hundred dollars each.

Question. Mr. George Griswold?

Answer. I think that was one hundred dollars; this was specially in connexion with Mr. Dodge.

Question. The aggregate, so far as you have any knowledge?

Answer. I don't know what he gave to the general committee; Mr. Dodge would derive an incidental advantage from anything that went there. I think he gave me one hundred dollars; he has given one a good many hundred dollars for various purposes, and he is a man I always go to when I want any money for any of these purposes.

Question. Do you know of any other committee in this congressional district in aid of Mr. Dodge's election—any other central committee—than the one of which Mr. Cowden was treasurer and Mr. Tucker chairman?

Answer. No, sir, I do not; I don't know that Mr. Cowden was treasurer of it.

Question. He was merely treasurer of some fund—some private fund?

Answer. Yes; I think he was treasurer of a private fund; he may have constituted himself treasurer.

Question. From what source was that private fund obtained—contributions of individuals?

Answer. It was the contribution of individuals; he might have been treasurer, for ought I know, of the general committee.

Question. Have you been within a tenement house within the last year?

Answer. I don't know that I have.

Question. Have you had opportunities of knowing or ascertaining the feeling of the poor laboring men who live in tenement houses, and of their families, in respect to their liability to draft, or the danger of their being called upon to serve as soldiers?

Answer. In this city I don't know that I have; I have out of the city.

Question. Have you heard that there was among the poorer population a great deal of apprehension and anxiety in relation to their being drafted?

Answer. Yes, sir.

Question. Do you think, if a person with a military cap and vest should go into a tenement house, and inquire of women to whom he was a stranger in regard to the residence of men in that house, that he would probably obtain correct information as to whether they resided there or not?

Answer. Well, I should say a great deal would depend upon what questions he asked, whether he obtained reliable information.

Question. If Patrick O'Reilly was an able-bodied man, twenty five years old, and a stranger in a military cap and vest should come and ask his wife if Patrick O'Reilly lived at that place, do you think that the wife of Patrick O'Reilly would be apt to tell him truly whether her husband lived there or not?

Answer. Well, assuming that a draft was on, I should say very likely he would not be very apt to find Patrick.

Question. Was this special committee that you have mentioned for the purpose of attending to the ordinary and regular expenses of the election, such as the provision of booths, &c.?

Answer. No, sir.

Re-cross-examined by Mr. PHELPS:

Question. You said that you did not think that there was on this subscription paper more than twenty-five hundred dollars?

Answer. Yes, sir.

Question. You have subsequently said to Mr. Waterbury that W. W. De Forrest gave twenty-five hundred dollars?

Answer. No, sir; I beg your pardon—not on that subscription paper; I said Mr. De Forrest gave only one hundred dollars on that subscription paper. That

was to the general fund—the State committee, or something of that sort; I heard some one say that he had given twenty-five hundred dollars to the general fund; I think myself it is true that he did give twenty-five hundred dollars.

Re-examined by Mr. WATERBURY:

Question. Do you think it is true that Mr. Stewart gave fifty thousand dollars?

Answer. No.

Question. What amount have you heard Mr. Peter Cooper gave?

Answer. Never heard he gave a dollar.

Question. What amount have you heard Mr. Stewart gave?

Answer. Never heard that he gave a dollar.

Re-cross-examined by Mr. PHELPS:

Question. Was Mr. De Forrest the largest subscriber that you heard of?

Answer. Yes, sir, by all odds.

Question. Was there any other subscription that you heard of towards Mr. Dodge's election of over five hundred dollars?

Answer. No, sir; not one over one hundred dollars. I met him on the street, and he said, "I will give one thousand dollars if necessary;" so some one went and got it.

L. G. B. CANNON.

Attest: JOHN R. BRADY, *J. C. P.*

Elliot C. Cowden sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 14 West Twenty-first street.

Question. Are you a friend of Mr. Dodge, personal and political?

Answer. Both.

Question. And took an earnest and active interest in his support for Congress last year?

Answer. I did, and did all I could to get him nominated.

Question. Did you ever see Mr. Thomas J. Barr?

Answer. I have.

Question. When was the first time that you saw him, to have any conversation with him?

Answer. He came to my house one evening, I should think a week after Mr. Dodge was nominated, and tried to persuade me that there was no chance for Mr. Dodge—that he could not be elected.

Question. How many times previous to the first day of December last did you see Mr. Barr to converse with him?

Answer. I could not tell you; the first day of December last was after the election.

Question. Between Mr. Dodge's nomination and the election?

Answer. I think once or twice; I saw him in the street.

Question. How many times did you see him at your house?

Answer. I think just twice.

Question. Was this the first time that you saw him—the time at which you saw him and Mr. Cannon together?

Answer. The first time he came I saw him alone; the second time he came, I am quite sure—my impression is—Col. Cannon happened to be at my house; those are the two times, as near as my memory serves me.

Question. Where else did you see him?

Answer. At my store.

Question. How many times at your store?

Answer. Once only.

Question. How many times did you see him between the nomination of Mr. Dodge and the first of December, to converse with him?

Answer. Four times, as near as my memory serves me.

Question. The first time you saw him was at your house?

Answer. Yes, sir.

Question. The second was where?

Answer. At my house.

Question. The third was where?

Answer. I met him in the street, but had no conversation with him.

Question. The fourth where?

Answer. In my store; I won't say it was in that order, but I think it was about that.

Question. Fix as near as you can the date of the last time you saw him.

Answer. Well, I could not fix it; it is utterly impossible; I should think it was, perhaps, a fortnight before the election, the last time I saw him; I have not set eyes upon him since election.

Question. When he came to your store, did he come there by invitation or by appointment with you?

Answer. I think it was by appointment with me.

Question. Where were you when he came in?

Answer. I am not sure; I could not say whether I was in my office.

Question. Have you an office partitioned off from the store?

Answer. Yes, sir.

Question. Were you in the office?

Answer. I can't remember whether I was or not.

Question. Who were in your employ at that time as clerks or porter?

Answer. I have quite a large number.

Question. As near as you can recollect, name those you had at that time?

Answer. I have got a dozen.

Question. Name those that you can.

Answer. There is an Edward P. Young; there is a lad by the name of Henry Sheldon; there is another by the name of Kuhely, a Swiss lad, an assistant entry clerk.

Question. Who else can you recollect that you had at that time?

Answer. Well, I have got them all now; I have got plenty more.

Question. Those in your employment at that place—clerks, porters, book-keepers, salesmen, employed at that place?

Answer. I have a Mr. Motley; he is my head book-keeper; Henry S. Motley.

Question. Who is your porter?

Answer. O'Neil is one.

Question. He was the one you had at that time?

Answer. Yes.

Question. Who else?

Answer. A man by the mame of Lansing, a colored man.

Question. Who was your cashier?

Answer. Motley.

Question. Can't you recollect any others you had at that time?

Answer. Well, those were the principal ones.

Question. Which of these were present when Mr. Barr came there?

Answer. Well, I don't know that either of them were.

Question. Did Mr. Barr when he came there come to the inside office where you were, or did he loiter about the outside room until you went out?

Answer. Well, I don't remember particularly; people were coming in and out constantly; I can't remember where I did first set eyes on him; my impression is, that when he was coming in I caught his eye coming up the stairs, and I went to meet him.

Question. Do you recollect who else was present when Mr. Barr came there?

Answer. I don't think there was any one.

Question. Do you know Mr. Atkinson?

Answer. What Mr. Atkinson? I know two or three.

Question. Mr. William Atkinson.

Answer. I know such a man.

Question. Do you know a Mr. Thompson?

Answer. I do.

Question. Do you know a Mr. Drummond?

Answer. I do.

Question. Were either of those gentlemen present when Mr. Barr came there?

Answer. I think they were.

Question. Which of them were there?

Answer. Thompson was one; the other, I could not tell whether it was Drummond or Atkinson. That reminds me I was in the front part of the store when Barr came in, and I saw him, and went and spoke with him, and they probably recognized him; they had no conversation with him.

Question. Where did you have the conversation with Mr. Barr?

Answer. In the store.

Question. Did you have it on that floor or up stairs?

Answer. I had a little conversation on that floor, and then went up stairs with him.

Question. Will you please to tell me all that was said between Mr. Barr and you in that conversation?

Answer. That would be a very difficult task; on the eve of election one would be hardly able to recollect.

Question. Tell me any single thing that you can remember that was said there?

Answer. What do you want I should state?

Question. Anything that was said.

Answer. I have nothing to state; if you ask me any question I will answer it most cheerfully.

Question. Is there anything that was said in that conversation that you can now remember?

Answer. Nothing that would be of particular interest.

Question. I ask you as to anything that was said in that conversation that you can now remember.

Answer. Well, nothing of any particular importance. If you will allow me to state it as briefly as I can, I will give you what it resulted in, and what it was. Mr. Barr came to my house for the purpose of endeavoring to convince me—knowing I was a warm personal and political friend of Mr. Dodge, and knowing it was in part through my personal efforts he was nominated—came to inform me that I was grossly mistaken in regard to Mr. Dodge's chances; that the district was a democratic district; that there was not a particle of chance for a republican to succeed; that there were two democratic candidates in the field, and of the two he was the strongest, but his party might be disaffected, and so on; that his chances of election were by no means sure, but that he was the regular democratic candidate, and nominated by Tammany Hall, and, as a Tammany Hall candidate, was bound to run. The impression I got from him was that Tammany Hall was not going to be put down by any irregular—(I won't use his expression,)—any stump nominee, and he wanted me, in view of the fact that the district was a democratic one, he wanted me to prevail on my friends to have Mr. Dodge withdrawn, and quietly go over to him, arguing that,

in districts where there was a chance for a republican, the war democrats had gone over frequently to the republican, and that in this district, which was democratic, it was our duty to go over to him. Well, I did not view it in that light; that led to a long interview. I asked him to meet my friend, Colonel Cannon, who was also a very warm friend of Mr. Dodge; I asked him to meet him; and it was at my solicitation that he met Colonel Cannon, and we talked the matter over, and told him it was out of the question; that such a thing was not to be entertained for one moment; that Mr. Dodge was brought forward without his knowledge and consent as being a most fit representative from the great commercial city of New York; we scarcely knew his equal anywhere, and under no circumstances should we withdraw him; and without undertaking to repeat all that was said, it resulted in our strengthening him by undertaking to pay a portion of his expenses, and his coming to my store was at my request to receive the sum of two thousand dollars. That is the long and short of the whole story.

Question. Did you pay him?

Answer. I paid him two thousand dollars.

Question. On that occasion?

Answer. Yes, sir.

Question. When he came to your store?

Answer. Yes, sir.

Question. In what did you pay him?

Answer. In bank bills.

Question. Where did you pay him, up stairs—or on the floor you first saw him?

Answer. I paid him up stairs; I went up stairs and had some conversation with him, and sent down and got the money.

Question. About how long before the election was that payment made?

Answer. I can't state; my books will show.

Question. Did Mr. Barr, in any of the conversations you had with him, ask for the payment to him of a larger sum of money than that?

Answer. He did not ask for anything to my knowledge; he intimated that Tammany Hall was poor, and that Mr. Brooks had some very strong backers; that a great deal of money had been raised for him, but that he had raised little or none; that money was on the one side and democracy on the other—what he called the true democracy; he asked us for no money, and would have run under any circumstances, in my judgment, with or without any aid on our part; yet, our idea was, the nearer we could divide the democratic vote in the district the better were our chances, and it was with a view of dividing it as near as we could. Anybody knowing anything about politics knows that for elections it takes a good deal of money—for ratification meetings, printing, and so on; and he advised me, I believe, that a little aid toward his expenses would aid Mr. Dodge; he did not tell me so; we were working for Mr. Dodge, not for Mr. Barr.

Question. Now I will have to trouble you to refresh your memory, and say upon such refresher whether at either of the interviews you had with Mr. Barr any sum of money was mentioned for any purpose other than this two thousand dollars.

Answer. I am not conscious that any sum was mentioned; this sum was a sum we offered to raise for him.

Question. Did Mr. Barr, when you offered to raise that sum for him, or at any time, state that that sum would be small or inadequate, or did he in any way except to, or object to, or question the amount?

Answer. Not to my knowledge; I think he would have taken five hundred dollars if that was all we would be willing to have given him.

Question. I mean to ask if anything was said on his part that indicated a

desire or a willingness that the sum should be larger than two thousand dollars?

Answer. I never knew a man up for office yet that had money enough.

Question. Please state what he said on that particular point.

Answer. There was nothing definite said.

Question. Well, indefinitely said?

Answer. I can only give you the leading idea. The idea was that Mr. Brooks had strong backers and was in the way of raising a great deal of money—he mentioned through whom, but I don't remember now—and that no amount of money was wanted to carry on Mr. Brooks's election; and on the other hand, his means were very small; and while he did not ask us for a dollar, we thought it politic to give him some money—Mr. Cannon and myself—and we did it without saying a word to any one to my knowledge. It may have got out; those things always do; but Mr. Dodge was not consulted in regard to it; he knew nothing about it to my knowledge; Mr. Cannon and myself took the responsibility. Mr. Cannon suggested that I should act as treasurer; I only acted as treasurer for such money as Mr. Dodge put in my hands for certain purposes. I did not collect one single dollar; I did not ask a man for a dollar for Mr. Dodge's election. Mr. Dodge said, "Here is a campaign to be carried on, and money is wanted; you have had some experience in the matter; just do whatever you would do for yourself."

Question. Was anything whatever said by Mr. Barr, in either of the interviews with you, which indicated that a larger sum than $2,000 was desirable or would be acceptable to him?

Answer. Well, my impression is that he intimated that a larger sum would do him good; I don't know that he stated to that effect.

Question. What was the total amount of the money that you have received from Mr. Dodge in connexion with the last congressional election?

Answer. Three thousand five hundred dollars.

Adjourned till March 24, at 7½ p. m.

FRIDAY, *March* 24, 1865—7½ p. m.

Elliot C. Cowden further examined.

By Mr. WATERBURY:

Question. What is the date of the payment to Mr. Barr of the two thousand dollars to which you have testified?

Answer. The 7th of November.

Question. The day before the election?

Answer. If the election was on the 8th, yes; it was the 7th of November.

Question. Did you see Mr. Barr after the election to have any conversation with him?

Answer. I do not know whether I saw him or not; not to have any conversation with him; not to my recollection. I may have seen him casually.

Question. That payment being on Monday, the 7th, and the election being on Tuesday, the 8th, were the other three times you saw Mr. Barr, to which you have testified, before that Monday on which you paid him the two thousand dollars?

Answer. I stated last night that I saw him shortly after Mr. Dodge was nominated; that I saw him again at my house by appointment; that is, I asked him to come; and I stated, furthermore, that I saw him again, I think, in the street; I may have seen him more than four times; I think not, however; that must have been all before the 8th of November.

Question. Now, please to answer the question I put to you.

Answer. You might as well ask if 2 and 2 make 4.

Question. I ask, the payment of $2,000 being on Monday, the 7th, and the election being on Tuesday, the 8th, were the other three times you saw Mr. Barr, to which you have testified, before that Monday on which you paid him the money?

Answer. It could not have been any other than before, inasmuch as the nomination comes before the election.

Question. But there were two other meetings besides the one shortly after the nomination. What day or about what day was Mr. Dodge nominated?

Answer. That I cannot say; I think about the second week in October. It is very easy to ascertain that fact.

Question. He was a candidate three or four weeks?

Answer. I should say about four weeks; I think so; I am not positive on that point, but it is the easiest thing in the world to know.

Question. Then what relation, in point of order, does the time at which you met Mr. Barr in the street bear to the other three interviews to which you have testified, after the first interview—shortly after Mr. Dodge was nominated at your house?

Answer. It is a matter I did not charge my memory with; I cannot tell whether a little before or afterwards.

Question. How long had you known Mr. Barr to speak to him?

Answer. Well, I had known him three or four years slightly, as I knew hundreds of men.

Question. Under what circumstances did you become acquainted with him?

Answer. Well, I can scarcely tell. If you should ask me under what circumstances I became acquainted with Mr. Phelps here I could not tell you.

Question. About how much had you seen him, off and on, previous to the time he called upon you in relation to this matter?

Answer. I do not think I had seen him to speak with him for a year, or more than that; he was one of those gentlemen I meet in the street and bow to, and if I happen to be brought in contact with, say "How do you do?"

Question. I suppose you became acquainted with him at the time you were a candidate for Congress yourself?

Answer. I had seen him before that.

Question. And did you meet him during that canvass?

Answer. My impression is I did. I saw plenty of people—plenty of democrats. I saw, for instance, some gentlemen that came to me as warm personal friends of Mr. Waterbury, and who said if I would do thus and so, and furnish a band of music, he would not withdraw under any circumstances.

Question. As you have brought that matter up, I would like you to say who called upon you.

Answer. I should think a dozen men. I am ready to testify under oath that more than once bodies of men came to me and stated that if I would furnish a band of music and help to pay the expenses of a ratification meeting for Mr. Waterbury, and do certain other things, they would pledge me, as true as there was a God in heaven, he would not withdraw.

Question. I request you to state who the persons were who called upon you. I say no one called upon you with any knowledge of mine.

Answer. That I do not charge.

Question. I want you to name the persons who called upon you?

Answer. I cannot give the names of all of them; they were rather a rummy set; I did not want to know their names or make their acquaintance.

Question. Give what names you can.

Answer. I can only name one just now; he was known in the Eighteenth ward as "Billy Baird." I had no particular reason to know you sent him. I only say I had plenty of calls.

Question. Try and remember some other names?

Answer. Another man called who said he belonged to an organization called "The Life Guard of the Union." His name was Comstock, or he called himself that. I did not know him before or since. Another came in the interest of Mr. Brooks, and said that if I would do thus and so he would not withdraw. I took pains to send a man to Mr. Brooks who was friendly to him and me; and he said no matter what happened he was in the field without the machine, and would stay in the field till sundown on the night of election. I state this because you ask if I saw this man, or that, or another. There was a stream of people coming, calling themselves democrats. Who they were I did not know and did not care. I did not pay them any money. I did not feel that the chances of my election were very brilliant, and I was not going to aid in your election or Mr. Brooks's.

Question. I still request you to name every person who called upon you representing himself to be a friend of mine.

Answer. There was a man named O'Brien; I never heard of him before or since; what his first name was I do not know; he called himself Mr. O'Brien, and that is a pretty large family. Mr. Baird, whom I named, I heard kept a liquor store.

Question. I will trouble you to name every one else who called upon you representing himself to be a friend of mine.

Answer. I can only name Mr. Comstock, whose first name I do not know; Mr. O'Brien, who came to me two or three times; and Billy Baird, each bringing three, or four, or half a dozen people with him.

Question. Have you mentioned every one you can name who called upon you representing himself to be a friend of mine?

Answer. I think I have, as near as my memory serves me.

Question. Be kind enough to state why, when you sent to Mr. Brooks in relation to persons calling upon you and representing themselves to be friends of his, you did not find some opportunity to send in the same manner to me.

Answer. Because I considered that you were perhaps in the field to be gotten out, and when I heard that Governor Seymour had interfered in the matter, or was about to do so, that confirmed me in the opinion; whereas I felt Mr. Brooks, having been in Congress and having a paper under his control, was determined to be a candidate; and when he announced that he would be a candidate, with or without the machine, his friends said he meant what he said, and he would compel the democrats to take him up, and I think he made his word good.

Question. Why did you think I was in the field to be gotten out?

Answer. Well, it was the impression I got somehow from you.

Question. From those pretended friends of mine, Mr. Baird and the others who called upon you, not one of them supported me?

Answer. I cannot tell you how I got the impression, but I got the impression that you got the nomination, not because you cared so much about going to Congress as for the sake of making it a lever to get something more profitable perhaps. That impression I got from the democratic gentlemen who called upon me.

Question. Being the class you named?

Answer. Yes, rather a rummy set, I must admit.

Question. Suppose the fact should be that Governor Seymour never did interfere in the matter in the slightest degree, would you not make up your mind that you built all your ideas on a very slight foundation?

Answer. Yes; but if the reverse were true, what then?

Question. But the reverse was not true; he never did interfere in the slightest degree.

Answer. If you were on the stand I would have liked to ask you two or

three questions. I say this much, I think you played your cards very well. But that has nothing to do with this matter.

Question. Be kind enough to tell me whether you saw Mr. Barr in the course of that canvass.

Answer. You might as well ask me if I saw Mr. Rynders; I suppose I saw both.

Question. To confer with them in regard to the election?

Answer. Not at all; I never spoke to Mr. Rynders in my life.

Question. I ask about Mr. Barr, not about Mr. Rynders. I ask you whether you saw Mr. Barr during that canvass upon the subject of the election?

Answer. No, I did not; I never sought an interview; never darkened his door.

Question. Did he come to you?

Answer. During that canvass I may have fell in with him and I may not; when you are up for office you have a great many friends; he never came near me nor I near him; we may have met in company.

Question. If you saw Mr. Barr during that canvass, and conversed with him upon the subject of the election, was it an unimportant, casual meeting?

Answer. Entirely so; I never made any appointment with him, in any way, r any purpose; the first thing I had to do with him of any sort of conse- ience was when he came to my house.

Question Did you, during the canvass, have any interview upon the subject of that election with any gentleman whatever known as an active or prominent member of the Tammany Hall organization?

Answer. Not that I know of.

uestion. You cannot recollect that you had?

Answer. I do not know the Tammany Hall people; I am not much of a politician; I am a merchant. If you ask me who the Tammany Hall men are, I cannot tell you; I have an idea of Tammany Hall being a little more sound than those who oppose it.

Question. Did you have during the canvass of 1862 any interview upon the subject of the election with any gentleman who, at the recent election, was known as an active or influential or prominent supporter of Mr. Barr?

Answer. Not to my recollection; I hardly know who Mr. Barr's supporters were at the last election; I may have had without knowing it.

Question. About how long after Mr. Dodge was nominated did you first see Mr. Barr, to converse with him upon the subject of the election?

Answer. It is mere guess-work; I cannot tell you.

Question. If I understood you right, you said a week?

Answer. About a week after the nomination. It is one of those things I cannot fix in my mind. It was about a week, I think, after the nomination, he came to my house.

Question. About how long was it from that time until you met him in the street and had a conversation with him?

Answer. I never had any conversation with him in the street, except a word ally.

Question. That fourth interv[illegible] to which you have testified which you said was in the street?

Answer. I just saw [illegible] one minute's conversation with him; just saluted him.

Question. Was that before or after [illegible] ied at your house?

Answer. For the first time, do you mean?

Question. Yes.

Answer. It is very difficult to say; it is very difficult for me to tell whether it was or not.

Question. Did you have any conversation with him at the time you met him in the street on the subject of the election?

Answer. Not a word; we just passed the time of day and asked "How is the enemy?" or something like that.

Question. Did you at that meeting in the street make an appointment with him to come to your house or meet you anywhere?

Answer. No, sir.

Question. Mr. Cannon has testified that the interview you and he had with Mr. Barr at your house was, he thinks, the Sunday before the election. Does that agree with your recollection?

Answer. I should think it was longer. I should think a week before the election; still I cannot say.

Question. That was the interview at which you agreed to give Mr. Barr $2,000?

Answer. It must have been.

Question. The election was on Tuesday, the 8th?

Answer. I paid him on the seventh; then very likely it was the day before, on Sunday.

Question. Now, did Mr. Barr come to your house on Sunday by appointment?

Answer. I am not quite sure that he did not come to my house three times; he called at the door once; he came once by appointment, and once not; I asked him to come; I said, "Let me see you again." He came to my door one evening for the purpose of inducing Mr. Dodge's friends to induce him to withdraw on the ground that it was a democratic district, and that he (Barr) could be elected; then I said, "I have got some friends here to-night, and, if you can, come and see me, when we can talk about it." I did not like to throw cold water upon him at once; he came to see me at my request; I think he came three times.

Question. Are you sure that he was not at your house four times between Mr. Dodge's nomination and the election?

Answer. He was not, sir; not more than three times.

Question. Was not the time that he came to your door the first time he came to your house after Mr. Dodge's nomination?

Answer. Yes; the first time I had seen or heard of him.

Question. About how long after Mr. Dodge's nomination was it that he came to the door?

Answer. I have answered that question; he came to my door first of all, I think, a week after the nomination.

Question. How long after that was it that he came and had the conversation with you when Mr. Cannon was not present?

Answer. I cannot tell you; I did not pay much regard to his coming the first time.

Question. About how long?

Answer. It may have been a week, and it may have been ten days.

Question. Now, I recur again to my former question, which you did not answer—whether the meeting at your house the Sunday before the election was by appointment?

Answer. It is very difficult to say whether it was or not; I know I told him that I was generally at home in the evening, when he came the first time, and that I should be glad to see him at any time. I cannot tell you whether I asked him to come that Sunday or not; but I know I told him if he had anything particular to say, he would almost always find me at home in the evening.

Question. Before he came there that Sunday evening, did you mention to Mr. Cannon that Mr. Barr was to be there?

Answer. It appears to me I did; that I thought he would be there.

Question. Then it must have been by appointment that Mr. Barr came there?

Answer. It was by appointment, so far as Mr. Cannon was concerned, I think; I met him almost every day, and he saw something of Mr. Barr almost as often as I did.

Question. He does not so testify.

Answer. He must have seen him two or three times.

Question. Did you tell Mr. Cannon, before Mr. Barr came to your house that Sunday evening, that Mr. Barr was to be there?

Answer. My impression is that I did; I should not want to swear positively that I did.

Question. Then Mr. Barr must have come there by appointment?

Answer. I cannot tell you whether he did or not; but, as I tell you, Mr. Cannon and myself were in constant communication, I at his house or he at mine.

Question. I wish you to answer the question I put.

Answer. I do not want to state what I am not positive of; whether he came by appointment or not I cannot say.

Question. Give me your belief in regard to that fact.

Answer. My belief is of no consequence; I either testify positively or not at all; I am not prepared to say whether it was or not by appointment.

Question. You are required to say whether it is your belief that it was by appointment or not.

Answer. I have not any definite, positive belief on the subject.

Question. What is the best opinion you can form on the subject?

Answer. I have not formed any opinion on the subject.

Question. If Mr. Barr came there by appointment, how was the appointment made?

Answer. That would depend upon whether there was an appointment or not; I made no appointment with him to come there, to my knowledge, on that day; therefore, of course, I cannot tell you how a thing was done when I do not remember that it was done.

Question. How, then, could you have mentioned to Colonel Cannon that Mr. Barr was to be there?

Answer. I am not aware that I did.

Question. You testified that you thought you had.

Answer. I do not know whether I did or not; the truth is, I was with Mr. Cannon every day, and he may have asked him to meet him there, or I may have asked him to meet us; I do not remember; I do not suppose it is of any consequence any way.

Question. At which of the interviews you had with Mr. Barr was it that he spoke to you of the assistance rendered to the republican party in other districts?

Answer. I was not aware that he spoke to me about assistance. He argued in this wise: that in some of the other districts, what he called the "war democrats" had gone for the republican candidate; the leading idea he had on his mind was that, ours being a democratic district, we should go in for the best friend of the government on the democratic side, and secure his election; that was the burden of his speech; first, last, and all the way through, it seemed to be the thing on his mind.

Question. Which districts did he refer to?

Answer. I did not ask him, and he did not mention.

Question. Did he not mention any district?

Answer. Not that I remember; he may have; but the single idea all the time, and that which he seemed to have uppermost in his mind, was that which I have stated, that where a district was pretty nearly republican, the men of the democratic party who were for a vigorous prosecution of the war went over

to the republicans and secured their man; he argued that that having been done in many districts, it was our duty, in a strongly democratic district, to give our support to the democrat most loyal to the government; that he was the regular nominee of the democratic party and of Tammany Hall. Perhaps seven-eighths of all the conversation I had with Mr. Barr was to that purport; he wanted Mr. Dodge to withdraw, and wanted the influence of our folks to go for him.

Question. Did he mention the district in which Mr. Raymond, Mr. Ward, and Mr. Norton were candidates?

Answer. I do not think he spoke of it at all; he only spoke on general principles, and I do not think he mentioned any one district; I am not conscious that he alluded to any one district, but spoke in a general way.

Question. Try and tax your memory.

Answer. I cannot; to the best of my recollection he did not name any district. My reply to him was, that Mr. Dodge was not an aspirant for the office; that it was through my influence in part, in connexion with some friends, that he was brought forward, and I was not going to be so discourteous as to be instrumental in nominating a man for an office, and then going to him and saying, "Mr. Dodge, we advise you to withdraw." Such a thing was not to be thought of.

Question. About what time was it that Mr. Barr saw you on the day that you paid him this money?

Answer. I should think in the middle of the day.

Question. What time was the interview on Sunday?

Answer. It was after church; whether in the morning or in the evening I do not remember; if my memory serves me right, he came on Sunday about dinner time, and I had some friends to dinner, and he said that he would come again, and he came in the evening; I think it was something like that, but I cannot remember now.

Question. Something like the evening?

Answer. I think in the evening.

Question. Who arrived at your house first—Mr. Barr or Mr. Cannon?

Answer. That I cannot tell you.

Question. Was the three thousand five hundred dollars that you received from Mr. Dodge all the money that was paid into your hands for the purposes of the election in that district?

Answer. Every cent I received from any quarter.

Question. What funds were there in that congressional district, other than the funds that you disbursed for Mr. Dodge?

Answer. Mr. Sherwood and Colonel Cannon raised some money—how much I do not know.

Question. Who was treasurer of that fund?

Answer. I guess each was treasurer of what he collected; there was no recognized treasurer.

Question. Did you attend any of the meetings of the committee, or organization, of which Mr. Cummings H. Tucker was chairman?

Answer. I did, most of them.

Question. Who was the treasurer of that organization or committee?

Answer. It had not any appointed treasurer, as near as I recollect; so far as I recollect, Mr. Sherwood and Mr. Cannon collected some money, which, between the two, was disbursed for different objects—printing, banners, music, and the usual expenses.

Question. Do you know of any other funds besides those you have mentioned?

Answer. Not a cent.

Question. Did you, yourself, procure any subscriptions for the election?

Answer. Not one; I speak of the congressional election, apart from the general election; we were all, of course, interested in raising funds for the general presidential election.

Question. Do you know of any other funds or moneys that were raised or that were expended in that district?

Answer. I do not know of a cent from any other quarter than from Colonel Cannon and Mr. Sherwood—not one cent; as I say, there was plenty of money raised for the presidential canvass.

Question. Did you contribute towards that election?

Answer. I did, and got money; I did not contribute directly to the congressional election; I paid the expenses of several things; I paid for a ratification meeting in the Eighteenth ward; I paid for bands of music, and a variety of things of that sort, which I did as my contribution; I did not sign the paper, but was very happy to make my contribution in that way; perhaps it was $150 or $200; I do not know how much; I paid for publications in the newspapers, and that kind of thing, in a variety of ways; but that did not enter at all into the subscription; you know how it is, when an election comes off, that there are a great many things to be done.

Cross-examined by Mr. PHELPS:

Question. What is your occupation?

Answer. I am a merchant.

Question. Have you had any experience in political life?

Answer. Well, perhaps as much or rather more than most mercantile men, but no very great experience.

Question. Have you ever been the candidate of the Union party for any office?

Answer. I have once.

Question. For what office, and when were you a candidate?

Answer. For Congress in the year 1862.

Question. In this same district in reference to which the present contest is?

Answer. The same district.

Question. You are then, from personal experience, able to give us some information in reference to the necessary and legitimate expenses of such a contest?

Answer. Yes; I think I can give as correct information as most men upon that subject.

Question. Would you consider, having, as I presume you have, as good a general knowledge of the money contributed and expended for the last election for this congressional district on the part of the Union side, that the sum was anywise extraordinary or unprecedentedly large?

Answer. The sum expended was not large; I thought it was moderate, for the reason that it was a presidential election; the election which took place two years before was one which did not create any great excitement, and a much less sum would have answered; I do not remember how much the expenses were.

Question. Do you know whether this contest was waged with extraordinary zeal, there being a number of meetings and a proportionate amount of expense?

Answer. Yes, it was; there was a good deal of effort made in Mr. Dodge's behalf—more than there is usually, I think, and perhaps more than in any other district in New York, except, perhaps, Mr. Raymond's.

Question. During the last three weeks of the canvass, how frequent were the public meetings in the various wards, and various parts of the same ward, to further the interest of Mr. Dodge?

Answer. In most of the wards there were meetings, I think, about once a week.

Question. You say that you yourself contributed towards the expenses of one of the meetings?

Answer. Yes; I did not subscribe to the paper, but I contributed to the expenses of the meeting in the Eighteenth ward; that meeting was not got up so much, by the organization as a ratification meeting, but was known to be a Dodge meeting, distinct in a measure from the regular caucuses.

Question. You say that the expenses of this meeting of which you bore a portion amounted to as much as one hundred and fifty dollars on your part?

Answer. Well, perhaps not as much as that; but there were incidental expenses, a great many little things coming up that have to be paid, and I felt that when Mr. Dodge had contributed the amount of fifteen hundred dollars for this specific purpose, he ought not to be called on for another cent; and so thought also some of the gentlemen to whom I sent the money.

Question. Was this meeting a ward meeting, as distinguished from a large meeting of the district?

Answer. It was got up under the auspices of the ward organization, but was a sort of an independent caucus; I myself presided, and I held no office whatever in the presidential organization.

Question. Would the expenses of this single ward meeting have much exceeded the expenses of any other of the ward meetings, held so numerously?

Answer. I think not; we had a band of music, and handbills, and gutter snipes, and all those things costing money; I could not tell within $25 or $50 of the exact amount.

Question. Although, perhaps, it is unnecessary to ask the question, still I will ask whether it is a strange thing, or deemed an unjust or wrong thing, in a canvass which is tripartite, for the friends of one candidate to help one of the other two candidates for the purpose of electing their own man?

Answer. I do not know whether it is customary or not; but I know that wherever such an opportunity is presented neither party is apt to let it slip.

Question. It would not have been unprecedented in political annals if, during this political canvass, there being three candidates, the friends of Mr. Dodge should have endeavored to secure his election by aiding one of the other two parties?

Answer. Not at all; on the contrary.

Question. Am I to understand that during the preceding congressional contest in this district, when the three candidates were in much the same condition, you were approached by overtures on the part of those pretending to be the friends of Mr. Waterbury?

Answer. Yes; again and again by those pretending to be his friends; but I should hope not his friends, from the character of those who came to see me.

Question. You say the appearance of the men who called upon you was rummy?

Answer. Very rummy, indeed—exceedingly so.

Question. Does your acquaintance, as a general thing, lie among your fellow-citizens who would deserve this appellation?

Answer. I hope not.

Question. It is not very strange that you should not have been intimately acquainted with the names of the men composing those very rummy delegations?

Answer. I should hope, from their appearance, that they were not acquaintances of mine, or even of Mr. Waterbury.

Question. You think there were more called on you than those whose names you have mentioned?

Answer. There was scarcely a day passed that some one did not come, representing one thing or another. One day a man called and said that he was at the head of a democratic club, called the "Federal Union," and he was going to do great things; that for so much he would go for me, and that if I would not do it Mr. Brooks would. I told him that I thought he had better go and see Mr. Brooks. Of course there was a crowd of those people coming

there all the time. I made up my mind that no matter what one did, they would vote just the same, and I did not pay a single one of them a sixpence, nor did I intend to.

Question. Was there any parallelism between the condition of the three candidates at the election for member of Congress in 1862 and the position of the three candidates in this election of 1864? In other words, what nomination had Mr. Waterbury?

Answer. I am hardly sufficiently familiar with democratic politics to tell, but my impression is that Mr. Waterbury had the regular nomination of the democratic party, and that Mr. Brooks was nominated by outside organizations.

Question. How similar was Mr. Waterbury's position, in your opinion, with that of Mr. Barr?

Answer. I should think Mr. Barr's position and Mr. Waterbury's were a good deal alike, so far as I know of democratic politics. I have known Tammany Hall from my boyhood, but the other organizations I have not known so much about, and I am very apt to associate democracy with Tammany Hall, and whoever gets the Tammany nomination I consider the regular nominee. It may be my want of knowledge of the democratic party, but I have always thought the Tammany Hall man the regular nominee. Mr. Waterbury was the Tammany nominee, and I am not sure but the Mozart nominee also. I thought it was pretty plucky on Mr. Brooks's part to take the stand he did and beat at that.

Question. When Mr. Barr, in negotiating with you to induce you to withdraw Mr. Dodge, urged the fact that he would make a strong run, did you, or not, call his attention to the fact that Mr. Waterbury, having the same regular, Tammany nomination, saw fit to withdraw?

Answer. I do not think Mr. Waterbury's name came up at all—not to my recollection; I do not think he was spoken of. Mr. Brooks, of course, came in for his share of talk.

Question. You feel confident that Mr. Barr called twice on the Sunday preceding the election?

Answer. I think he did; I should not like to say positively.

Question. It was evident, then, that if he did call by appointment, (as to which you can form no idea,) you had not fixed the time of the day at which he was to call?

Answer. No, I am sure I had not.

Question. You would not have been apt to fix a time at which you dined with your friends?

Answer. No, sir.

Question. Did Colonel Cannon call at dinner-time that Sunday?

Answer. I do not think he did; I am not sure; as I said, he was in and out of my house, and I in and out of his; it is very difficult for me to say whether he did or not; there was not a day I did not see him, and sometimes twice; when he went down town he frequently called to see me in the morning, and he called into my store; we wanted Mr. Dodge elected, and did our utmost towards it, and we were in constant consultation.

Question. At whose suggestion did you commence, or at whose suggestion did you complete these negotiations with Mr. Barr?

Answer. Do you mean in regard to money?

Question. In regard to furnishing him with this money to assist him, who told you to make the negotiation?

Answer. No one; we had no authority from any human being; Mr. Cannon and myself assumed the responsibility entirely.

Question. Did you converse with any one else to inquire if it met their approval?

Answer. We may have casually spoken of it with some others.

Question. Did you ask Mr. Dodge?

Answer. We never said a word to him about it; I doubt if Mr. Dodge knew anything about it until the election was over; these things are always very difficult to keep secret, but I never mentioned it to him; I think I hardly ever spoke of Mr. Barr to him.

Question. Do you know of any one more active, and consequently more familiar with the working of this campaign for Mr. Dodge, than yourself?

Answer. No I do not.

Question. During the whole course of this canvass, did you know of anything which, as an honorable man and a good citizen, you would have cause to regret in carrying on that canvass?

Answer. Nothing; there was nothing done, to my mind, which an honorable man might not do over and over again.

Question. Was any money spent to bribe or influence the vote of any individual?

Answer. Not to my knowledge; not a cent.

Question. Was any money or inducement held out to the registrars or inspectors of the polling districts?

Answer. Not one cent, nor would there be with my consent, to secure his election.

Question. Do you believe that all the money raised and expended was expended for the legitimate purposes of the campaign?

Answer. So far as our friends are concerned, I believe it was; frequently money is injudiciously used to one's detriment, but, so far as our friends are concerned, every dollar was used in a legitimate and honorable way.

Re-examined by Mr. WATERBURY:

Question. You spoke of fifteen hundred dollars contributed by Mr. Dodge for a special purpose. What was that purpose?

Answer. The day, or day but one, after he was nominated, when he came back to town, he came to me to know what was customary under such circumstances. I told him the usage of the Union party was to furnish to the Union organizations a certain amount of money to carry on the machinery of the party, and pay for rent, advertising, and the thousand things arising; that it was customary to expect the candidate to contribute towards those expenses. I told him that inasmuch as it was a presidential election, and he was not supposed to be a poor man, perhaps a little more would be expected of him at that time than was usual. He did not know how much. I do not know whether I told him that day, or at a later period; but I advised him to give five hundred dollars to each ward. That five hundred dollars was distributed among the wards; and I took upon myself, without any authority from him or anybody, that three hundred dollars be paid into the treasury of each ward, and two hundred dollars be reserved for the expenses of meetings, &c., in the direct interest of Mr. Dodge. It was a mere suggestion on my part, and whether it was carried out, or not, I do not know. I know that we all took a very deep interest in his election.

Question. When did you receive that money from Mr. Dodge?

Answer. I received it on the 20th of October.

Question. What amount did he pay you on that day?

Answer. Fifteen hundred dollars.

Question. When did you receive the two thousand dollars from Mr. Dodge?

Answer. Not until a month after the election. I expected to get it from the funds collected by Colonel Cannon and Mr. Sherwood. About the 1st of December my book-keeper, when balancing the books, asked me what he should do with that two thousand dollars. It had not occurred to me that there was any two thousand dollars unpaid. I said, "I will see Colonel Cannon about that."

Question. I only asked you when it was paid. Then that two thousand dollars which you received from Mr. Dodge, finally, was to repay the specific two thousand dollars paid to Mr. Barr?

Answer. Not at all. I will tell you the story as it is. This money I expected to get from Mr. Cannon. There had been some funds collected, and I spoke to Colonel Cannon about it. I did not hear from him for a day or two. He said he would see about it; and I saw Mr. Sherwood. Mr. Sherwood said, "I have handed over the money collected, and the bills unpaid, to Mr. Dodge." I subsequently received the money from Mr. Dodge's firm. The bills remaining unpaid, and the balance of the money in the hands of Mr. Sherwood and Colonel Cannon, were all handed over to him. They had a little feeling about it that Mr. Dodge should see every item, and so the money and the bills, paid and unpaid, were handed over to the firm; but that it was the same identical money I deny emphatically, because there was money collected by these people for these various expenses.

Question. You paid Mr. Barr two thousand dollars?

Answer. Yes, sir.

Question. And you received from Mr. Dodge two thousand dollars?

Answer. I received just two thousand dollars; it so happened that it was the same amount.

Question. Was the two thousand dollars received by you from Mr. Dodge for any other purpose than to reimburse you the two thousand dollars you had paid Mr. Barr?

Answer. Well, I will not say it was for that purpose directly.

Question. I ask if it was for any other purpose?

Answer. Not so far as I am concerned, it was not; but I do not want Mr. Dodge to be placed in the false position you seem disposed to place him in, because this money was raised for the specific purpose of carrying on the canvass; the balance which remained in the hands of Mr. Sherwood and Colonel Cannon was all passed over to Mr. Dodge with the bills, paid and unpaid. The best evidence to my mind that Mr. Dodge was entirely ignorant of the fact of the payment to Mr. Barr was, that the election took place on the 8th of November, and nothing was said to me about this money being reimbursed by so prompt a man as Mr. Dodge; I should have heard of it from him the next morning if he had known it. What I want to make clear is, that it was not with Mr. Dodge's knowledge that one cent was given to Mr. Barr; it was a month after the election before he could have known anything about it, if he did at all.

Question. You spoke of the men who called upon you when you were a candidate as being rummy-looking. Did you form the opinion that they were of the class known as political "strikers?"

Answer. I should rather think they were.

Question. Can you tell me whether, in this canvass of 1864, you conversed with any democrat in the eighth congressional district, or with any democrat wherever he was from, other than Mr. Barr, in relation to Mr. Barr's candidateship for Congress?

Answer. Not to my recollection; I do not recollect anybody; I should not have gone near him if he had not come to me.

Question. Were all the negotiation on the subject, and all the conversation, with Mr. Barr himself?

Answer. Entirely.

Question. Are you cognizant of the negotiation with Mr. Manniere in relation to his withdrawing?

Answer. I was with Colonel Cannon for the specific purpose.

Question. What were the terms upon which Mr. Manniere withdrew?

Answer. There were no terms; he withdrew finally of his own accord.

Question. Voluntarily?

Answer. Yes, finally.

Question. Was it accomplished through the negotiation of Senator Morgan?

Answer. I think Senator Morgan advised him to withdraw.

Question. Did he take an active part in inducing him to withdraw?

Answer. Senator Morgan is a warm personal friend of Mr. Dodge; I saw him and asked him to come to the Fifth Avenue hotel one evening in the interest of Mr. Dodge, before Mr. Dodge was nominated. He came, and I met him in Nassau street during the negotiations between Mr. Manniere and Mr. Dodge's friends, and he expressed himself very decidedly indeed, that of all his friends in New York, there was no one whom he thought would be so useful as Mr. Dodge in Congress, and that Mr. Manniere must be induced to withdraw; that sentiment was almost universally expressed by our leading citizens.

Question. Did you know or did you ever hear of any money that was agreed or proposed, or expected to be paid to Mr. Manniere, or to any other person, that had any bearing whatever in relation to Mr. Manniere being, or having been, or ceasing to be, a candidate for Congress in that district?

Answer. Not one cent. I doubt if Mr. Manniere ever received, or asked, or expected one cent from any living being; I never heard of it, and never heard it intimated even; and if it had been, I should have been sure to have heard it.

Re-cross-examined by Mr. PHELPS:

Question. I understood you last night, upon your direct examination, to say that Mr. Barr intimated that he would like more than two thousand dollars: do you remember, or can you recall any words of his upon that subject?

Answer. Mr. Barr did not ask for anything directly; he did not come for money; he came for another purpose. He complained bitterly that he was poor, and that his friends and Tammany Hall had very little money to expend, and Mr. Brooks had rich backers who were determined to put him through. And he intimated that they were in the interest of the rebellion; that their sympathies were all with the rebellion; that he was a war democrat, and was doing all he could by his influence, as his Tammany democratic friends were, for a vigorous prosecution of the war; that he felt his chances were rather slim for want of funds. That led to some overtures on our part to help him, with a view of dividing the democratic vote. He felt that his chances of election, with both Dodge and Brooks in the field, were certain if he only had the money. We did not view it in that light; we thought that Mr. Brooks was the strongest man by far, and the result showed that he was. The only object in aiding him was to endeavor to divide the democratic vote more nearly.

Question. Mr. Cannon stated, on his examination, that in one or two interviews he had with Mr. Barr, Mr. Barr said that he considered his chances were much the best until a defection in the foreign vote from his side commenced. I ask whether it was at this interview at your house that Mr. Barr spoke of the foreign vote, and if you can recall what he said?

Answer. I think Mr. Barr's knees began to be a little weak as the election approached. I had no idea of advancing a sixpence in the outset, and as the election advanced I got the impression—and I think Colonel Cannon did also—that Mr. Barr seemed a good deal frightened, and that, perhaps, influenced us to advance him this money without any possible chance of getting it back again or caring much about it.

Question. Did you say that Mr. Barr did or did not at this interview say anything in reference to the foreign vote?

Answer. My impression is that he did.

Question. Can you recall what he said?

Answer. He took occasion to give us his ideas of Mr. Brooks: that Mr. Brooks was the worst enemy that foreigners ever had on this continent; that he was now appealing to them for their support; and that he had stated in one of

his public speeches that if he was elected he should be indebted mainly to the foreign vote.

Question. It is a matter of considerable interest in this contest to know the precise politics of Mr. Barr; so on that account, and not to injure any one's feelings, I ask you if you ever heard that Mr. Barr had been a candidate for any office on the nomination of the whig party?

Answer. Not to my knowledge; in fact, I have only known him for a few years.

Question. Did you ever hear that he had been a candidate of the know-nothing party?

Answer. Never; he may have been, but I never heard of it.

Question. Did you ever hear of his having been connected with any other party than the democratic party of Tammany Hall?

Answer. Never.

ELLIOT C. COWDIN.

Attest:

JNO. R. BRADY, *J. C. P.*

Thomas Riley sworn.

Examined by Mr. ANTHON:

Question. Did you hold any office conuected with the reception or counting of votes at the last election?

Answer. I did; that of register.

Question. In what district and ward?

Answer. Second district, Twenty-first ward.

Question. Who were your associate registers?

Answer. Mr. McDonald and Mr. Duncan.

Question. What was the political character of Mr. Duncan?

Answer. Republican.

Question. How long did the board of registers sit at its first session?

Answer. The first day we only organized; we had not got the books; the second day we sat all day.

Question. What did you do on the second day?

Answer. We copied the names off the old poll-list.

Question. Were you in session beyond the second day?

Answer. Yes, sir.

Question. What did you do on the third day?

Answer. Registered names.

Question. How long did you sit at the second session of the board of registers?

Answer. Some of us were there all day.

Question. A single day only?

Answer. Yes, sir.

Question. Who made the registry?

Answer. Mr. Duncan made part of it, the clerk made part of it, and Mr. McDonald and I made part of it.

Question. Was the portion made by the clerk inspected by the registers before it was included in the registry?

Answer. Yes, sir.

Question. Was one or more of the registers present throughout the whole of the session of the board?

Answer. Yes, sir, so far as I am aware.

Question. Was there, as far as you know, any time at which the registers' office was left solely in charge of the clerk?

Answer. No, sir.

Question. W[illegible] that registry correct, and truthful, and honest?

Answer. [illegible] w it was.

Quest[illegible] being placed upon that registry which ought [illegible] to have been th[illegible]

A[illegible]wer. No, sir.

Question. Do you know of a[illegible] upon that registry which was not the name of a legal voter in the [illegible]

Answer. Not that I am aware of.

Question. Was there any name placed upon the register which was not either taken from the old poll-list, or satisfactorily proved to an inspector, or known to an inspector, to be that of a legal voter in the district?

Answer. Not that I am aware of.

Question. What was done at the conclusion of your registry?

Answer. We signed the list of registry, and went before a commissioner of deeds and made affidavit to its being correct.

Question. Who did that?

Answer. We all signed it, sir.

Question. It was certified to by all the registers?

Answer. Yes, sir.

Question. As far as your knowledge goes, was there any violation of the law in any action of the registrars or of the board of registry, in connexion with the registry?

Answer. Not that I am aware of.

Question. At the conclusion of the first day's work, what was done with the registry as it then stood, being the part taken from the former poll-list?

Answer. I believe the president took charge of it.

Question. Was there any copy of it exposed in any way at the end of the first session?

Answer. Yes, sir; there was a copy of it left in the place where it was registered.

Question. Where was it placed?

Answer. It was placed, I think, on the wall; there was a screen between the place were the registry was made and the stove, and it was placed on that.

Question. In a conspicuous or concealed place?

Answer. Right at the entrance going in, in a conspicuous place.

Question. What copies were made, if any, of the registry at the termination of your registering?

Answer. Three or four besides the one left.

Question. Besides the original?

Answer. Yes, sir.

Question. What was done with the copies of the registry?

Answer. They were given up to the inspectors.

Cross-examined by Mr. PHELPS:

Question. Do you know Mr. Birdsall?

Answer. Yes, sir.

Question. Did you ever hear that Mr. Birdsall's boy made a copy of one of the registries?

Answer. Yes, sir; I believe I did.

Question. Then, in addition to the fact that this registry was made up by Mr. McDonald, Mr. Duncan, the clerk, and Mr. Riley, there was a young man named Birdsall who wrote a part?

Answer. I never was aware that Mr. Birdsall wrote any.

Question. The son of Mr. Birdsall?

Answer. Yes, sir; I believe he wrote only a part of one.

Question. Did any one else besides Riley, McDonald, Duncan, and this young man connected with Mr. Birdsall, write in the registry?

Answer. And the clerk.

Question. How many days were you at the place of registry altogether?

Answer. I think we were there four days altogether.

Question. Did you go out to meals during those four days?

Answer. Yes, sir.

Question. Did you invariably, upon your return, ask Mr. McDonald or Mr. Duncan if they had been out, and had not left the clerk alone in the room?

Answer. I do not recollect, sir.

Question. Then if you were out sometimes, and did not have the declaration of Mr. McDonald or Mr. Duncan that they had not left the room, how do you know but that during your absence the clerk might have been left there alone?

Answer. From the time I went there, when I went to get my meals, and when I returned, I always found one of the registrars there with the clerk.

Question. How do you know that they had been there all the time during your absence?

Answer. I do not know exactly.

Question. How long should a citizen have been a resident of the district to be registered?

Answer. Thirty days.

Question. How long should he have been a resident of the ward to be registered?

Answer. One year.

Question. How long should he have been a resident of the county to be registered?

Answer. I do not know, sir.

Question. You do not know how long he should have been a resident of the county?

Answer. No, sir.

Question. Then there was a possibility that the name of a citizen may have been taken down when he had not lived in the county a sufficient length of time?

Answer. The other registers, who are better versed than me, always asked him.

Question. Were you never left alone with the clerk?

Answer. No, sir; I don't believe I was.

Question. During the last two days was Mr. Duncan present all the time?

Answer. I do not know that he was present all the time.

Question. Was he present any portion of the last two days of the last session?

Answer. Yes, sir.

Question. What proportion?

Answer. I cannot exactly say.

Question. Was it a larger proportion or smaller proportion of the time?

Answer. He was there, on an average, about as we were—as often as we were.

Question. During the last two days?

Answer. Yes, sir.

Question. Do you know of there being more than one Mr. Duncan?

Answer. Yes, sir.

Question. Which Mr. Duncan was the registrar appointed?

Answer. William Duncan.

Question. Which was the one in his place there?

Answer. There was no one in his place at the general election.

Question. Did not his brother Robert act?

Answer. That was at the primary election.

Question. I speak of the board of registry at which you sat.

Answer. Yes, sir; the primary election he did, but not at the presidential election.

Question. What do you mean by primary election?

Answer. I mean the last election we had—the city election.

Question. Do you know how long a citizen must be a resident of the State to be a voter and entitled to register?

Answer. One year, sir.

Question. Do you know whether the law requires that the registrars should make affidavit of the correctness of the certificate they append to the registry or not?

Answer. Yes, sir.

Question. It is required?

Answer. Yes, sir.

Question. When were these three registries completed?

Answer. On the fourth day.

Question. Do you mean to say that they were completed on the last day of the session?

Answer. Yes, sir; they were completed on the last day.

Question. And no names, to your knowledge, were written after the board adjourned?

Answer. No, sir.

Question. What was the name of the clerk?

Answer. Picket was the clerk's name.

Question. Do you know when Mr. Picket furnished the copy of the registry he was preparing?

Answer. He furnished it before we went before the commissioner of deeds.

Question. You are confident on that point?

Answer. Yes, sir.

Question. Did you take any copy of the registry?

Answer. Yes, sir.

Question. What did you do with your copy?

Answer. I gave it to the inspector.

Question. When did you give it to the inspector?

Answer. At least I left it with Mr. McDonald, and he gave it to the inspector the evening before the election.

Question. You are confident that when Robert Duncan took the place of William Duncan, you were sitting as registrars for the December election?

Answer. No; he did not take his place; I made a mistake. He was there only as a clerk at the December election.

Question. Now I want you to think whether you are certain Mr. Duncan was present at all during the last two days of the session of the board of registry?

Answer. Yes, sir; I am under the impression he was.

Question. Are you sure he was?

Answer. No; I am not confident he was.

Question. Do you believe that he was there at all during the last two days?

Answer. I believe he was from what I have heard.

Question. You would know if you were present yourself, and would not have to hear?

Answer. Sometimes he would come there and sit awhile and leave before I got there.

Question. Then there were times that you were there when he was not there?

Answer. Yes, sir.

Question. Were there not times that you were there more than three hours without his being there?

Answer. Not that I know of—not that I recollect.

Question. Are you sure that you never went away, leaving Mr. McDonald alone with the clerk?

Answer. I do not recollect. sir.

Question. Do you recollect whether you registered the names of any soldiers whose votes were brought there?

Answer. Yes, sir; there were some registered.

Question. Do you remember whether Mr. Charles H. Rogers protested against this act as being, in his view, illegal?

Answer. Yes, sir; there was a man named Rogers; I do not know whether he was Charles H. or not.

Question. What time of the evening was it that you took the complete registries, and swore to them before a commissioner of deeds?

Answer. It was early in the evening, sir.

Question. About what time, do you think?

Answer. I should think it was between six and seven, or six and eight in the evening, or something like that.

Question. You are sure it was before eight o'clock?

Answer. Yes, sir; I think it was.

Question. You are sure that you entered no names afterwards, and that no names were entered by any of your board after that?

Answer. Not that I am aware of.

Question. If any party had come after you had sworn this oath, you would have refused to put his name down?

Answer. Certainly.

Question. Then you were not aware that the law required you to sit till nine o'clock that evening?

Answer. That was the day after the registry, I think, that we went before the commissioner.

Question. Then it was not on the night of the last day of the registry that you went before the commissioner?

Answer. I think it was, sir.

Question. Then I will have to ask you again whether, if any one had come to have his name registered after you made that certificate, and before nine o'clock, you would have refused to enter his name?

Answer. Yes, sir, I think so; I would, for one.

Question. If you have been incorrect in stating how long a man ought to have been a resident of the district, of the ward, of the county, and of the State, what certainty have you for your belief that there was registered no citizen except those who ought to have been?

Answer. Well, we had a book of instructions there, as to how we were to register the names, and we read it several times; I do not believe we would be apt to register any not entitled.

Question. Did you consult the book in the case of every man who came to be registered?

Answer. No, sir.

Question. You said you did not know a single citizen who was registered who was not a resident of the district?

Answer. Not to my knowledge.

Question. Did you know personally every man registered?

Answer. No, sir.

Question. Did you know personally one half of them?

Answer. No, sir.

Question. Did you personally know one quarter of them?

Answer. Yes, sir, I suppose I do.

Question. Then you would feel pretty confident that one quarter of these names placed upon the registry were names of citizens who resided in the district?

Answer. I would not feel any doubt about it, sir.

Re-examined by Mr. ANTHON:

Question. Had Mr. Birdsall's son anything to do with the registry?

Answer. No, sir.

Question. What he did was to make a copy from the original registry?

Answer. That was all.

Question. You do not know that there would be any impropriety in any one taking a copy of the registry?

Answer. No, sir.

Question. The registry was hung up in a public place, and any one might have copied it who pleased?

Answer. Yes, sir.

Question. Do you remember the date or time when you certified the registry and swore to the certificate?

Answer. No, sir, I do not.

Question. Do you remember how long before the election it was?

Answer. The last evening we sat there.

Question. Do you remember how long before the election?

Answer. It was the week before the election.

Question. You do not remember definitely how many days before the election!

Answer. No, sir.

Question. Did you mean to be understood as saying that any person acted in the place of Mr. Duncan as register?

Answer. No, sir.

Question. He acted himself?

Answer. Yes, sir, he acted himself.

Question. Now as to the qualifications of voters, by what were you governed in determining who should be registered and who should not?

Answer. Principally by the book of instructions, if there was any doubt of their not being legal voters.

Question. The book furnished by whom?

Answer. By authority of the supervisors.

Question. You are not a lawyer?

Answer. No, sir.

Question. You are not in the habit of determining questions of law, as to residents or otherwise, except you have a book to teach you?

Answer. No, sir.

Re cross-examined by Mr. PHELPS:

Question. You had two sessions of the board of registry?

Answer. Yes, sir.

Question. Separated from each other by ten days or two weeks?

Answer. Yes, sir.

Question. When did you swear before the commissioner to the correctness of the registry? Was it at the end of the first or of the second session?

Answer. At the end of the second session.

Question. Before what commissioner did you swear?

Answer. Mr. Renton.

Question. Where does he live?

Answer. I do not know where he lives; I think in Fourth avenue.

Question. You are sure that the register was signed by Mr. Duncan?

Answer. His name was there, sir.

Question. Did you see him sign it?

Answer. No, sir; I did not.

Question. Did you sign the registry more than once?

Answer. No, sir; not that I know of.

Question. Then when did you sign it? Was it only at the end of the last session?

Answer. Yes, sir.

Question. You did not sign it at the end of the first session?

Answer. I forget whether I did or not; my memory is very bad. I may have signed it; I do not know; but I know that I signed it before the commissioner.

Question. You went before the commissioner but once?

Answer. Yes, sir; I did. I went twice before the commissioner.

Question. Did you go before the same commissioner the second time?

Answer. No, sir.

Question. What commissioner did you go before the second time?

Answer. I think it was Mr. Birdsall?

Question. Then you must be sure that you signed it twice?

Answer. Yes, sir; I signed it twice, I think.

Question. Who went with you to Mr. Renton's when you made the oath?

Answer. No; I am mistaken there. Allow me to withdraw that. It was the bill of expenses that we had to swear to.

Question. What effect has this correction upon your testimony? Do you mean to say that you did not swear as to the correctness of the registry twice?

Answer. I am not positive, sir.

Question. Do you remember to have made two oaths at one time before either of these commissioners?

Answer. No, sir.

Question. Then if you swore to the bill of expenses, and did not make two oaths at one time before one of the commissioners, you could not have made more than one oath to the registry?

Answer. I am not certain about that.

Question. Do you know if Mr. Duncan made oath twice or once, or whether he made oath at all?

Answer. I do not know, sir.

Question. Do you know whether it was signed on the last day of the last session or on the last day of the first session?

Answer. No, sir.

Question, Do you know that it was signed once by all the registers

Answer. Yes, sir.

Question. Was it signed once by all the registers at the end of the first session?

Answer. I think at the end of the first one.

Question. Which statement do you intend to adhere to? You told me once that you knew that it was signed by all the registers at the end of the first session, and then you said that it was at the end of the second, and then that you did not know which, and then you said that it was signed but once. Which of these statements are you confident of?

Answer. I am confident it was signed at the end of the session.

Question. Which session, the first or last?

Answer. The last session.

Question. You are confident now?

Answer. Yes, sir.

Question. Are you confident that it was signed at the end of the first session at all?

Answer. It was signed every time it was necessary to be signed, so far as we knew anything about the law.

Question. I prefer to know at what time it was signed. You have sworn that it was signed at the end of the last session, and you feel pretty sure of that. Are you sure it was signed at the end of the first session?

Answer. I think it was.

Question. How long have you been in this country?

Answer. About sixteen years.

Question. Where were you born?

Answer. Ireland.

Question. What is your occupation?

Answer. I am a mason.

Question. If you should see those registries, and discover they were not signed at the end of the last session by either one of your three registers, would it shake your confidence in your testimony?

Answer. I do not think it would, sir. I am satisfied that we all signed it every time it was necessary.

Question. Then if, after you have sworn that you signed these books at the end of the last session, these same books should be brought before you, and you should see that there was not a single signature appended there, it would not alter your faith in the value of your testimony?

Answer. Certainly it would; if there was no signature there it would, but I think it cannot be so.

Question. And if it should prove that this Mr. Duncan, whom you said was not absent at all except for a short period, was absent during the whole of the last two days, being in the State of Connecticut, would that at all shake your faith in your testimony?

Answer. Yes, sir.

By Mr. ANTHON:

Question. Suppose those registers were produced here, or books purporting to be those, and they were found to have no signatures, which would be your strongest impression—would you think your testimony was mistaken, or would you think that some fraud had been committed on the registries?

Answer. I should think the signatures had been defaced—had been taken off. I am under the impression they were signed?

THOMAS RILEY.

Attest:

JOHN R. BRADY, *J. C. P.*

Hugh Reilly sworn.

Examined by Mr. WATERBURY:

Question. You are one of the councilmen of the city?

Answer. Yes, sir.

Question. Where do you reside?

Answer. The corner of Thirty-fifth street and Second avenue, C33 Second avenue.

Question. Did you vote at the last general election?

Answer. I did, sir.

Question. Did you vote more than once?

Answer. No, sir.

Question. What district did you vote in?

Answer. The fifth election district of the Twenty-first ward.

Question. At what hour did you vote?

Answer. I voted about four o'clock in the evening—something in that neighborhood; I am not positive as to the hour.

Question. Were you at any other time in the line of voters going to the poll to vote?

Answer. No, sir.

Question. If any one has testified here that he saw you vote in the morning, is his statement true or false?

Answer. It is false.

Question. If any person has stated here that he saw you vote in the morning, and subsequently saw you in the line of voters going to the poll in the afternoon, is that statement true or false?

Answer. It is false, sir.

Question. How long have you been a resident of this ward?

Answer. Something over eleven years.

Question. Have you been active in politics and social life in the ward?

Answer. Yes, sir; I always took a little part in it.

Question. You are familiar with the people of the ward?

Answer. Yes, sir.

Question. Are you well acquainted with the inhabitants of the eastern portion of the ward?

Answer. As a general thing, I am pretty well.

Question. You know the locality called Dutch Hill or Clara Hill?

Answer. Yes, sir.

Question. You are familiar with the character of the people there?

Answer. It is very hard to find out the character of the people there; if you go there sometimes you will not find them; if you have business with them you may find them and you may not.

Question. Suppose you want to find out something that does not interest them?

Answer. Then you might find them.

Question. Do you know how the people of the middle and lower classes feel at present respecting the draft?

Answer. That is the very reason that they do not wish to give their names or the place where they resided.

Question. Is there still a great apprehension existing among them with regard to the draft?

Answer. Yes, sir; sometimes it will be only a close contest that will bring them to vote at all, or to register their names, because they are afraid they may be drafted from the poll-list.

Question. They fear to register their names on account of the draft?

Answer. Yes, sir.

Question. Does the state of feeling about the draft produce any difficulty in ascertaining the residence of persons of that class in the ward?

Answer. So far as my knowledge goes it does.

Question. Suppose a person were making inquiries as to the residence of a considerable number of persons in a given locality, would he find any difficulty in ascertaining whether particular persons lived at particular places or not?

Answer. I think he would.

Question. Suppose that the person who made the inquiries wore a military dress, with military buttons, and a military cap, what would be the effect?

Answer. I do not believe he would find any of them; he might find some, but the majority he would not. I think they would not give their address to him.

Question. Suppose that, in addition to this semi-military costume, he was known to have been in the army, would that increase or diminish his facility for getting information?

Answer. I should think it would increase the difficulty.

Question. Suppose, in addition, that he chiefly inquired of women and children, and not of men, would the women and children be more likely to give the residence of their husbands and fathers, or would the fact of his inquiries of the women and children be likely to increase the difficulty of getting information?

Answer. I think so; I think they would not give him the address at all, if he inquired of the woman for her husband; ten to one she would say she had none.

Question. Did you hear of any person connected with the provost marshal, or any officer of that kind, making inquiry for a particular person, and being told that he was dead five or six years before?

Answer. I have heard of such things; I have not seen it.

Question. Death is supposed to be an exemption from the draft, and is therefore stated as such.

Answer. Yes, sir; I have heard of such cases.

Question. Suppose the person making the inquiries, instead of being a semi-military individual, were a policeman; what do you think would be the effect?

Answer. I think it would result about the same.

Question. Suppose he was a policeman, unpopular, and known to have a reputation for brutality; what do you think would be the result of his inquiries?

Answer. I do not think he could find out the parties he inquired for.

Question. Suppose, in addition to these two difficulties, he was known to be in the provost marshal's office; what do you think would be his chance of getting information?

Answer. I do not know. I do not think that he would get the information from parties he would seek, except he got it from others.

Question. If you were conducting a contested election, and wanted to get up evidence that voters were not to be found in the places mentioned in the poll-list, do you not think that such men as I have described would be the very best men to employ?

Answer. I think these men would be the very best not to obtain the information.

Question. If you wanted not to find the persons inquired for, you think such men would be the very best to employ?

Answer. These would be the last men to find them, because they would not appear to them.

Question. Suppose, instead of a provost marshal, you sent a United States marshal?

Answer. It would be the same thing.

Cross-examined by Mr. PHELPS:

Question. Do you know the name of any United States marshal?

Answer. Mr. Murray is the United States marshal.

Question. Do you know the name of any deputy United States marshal?

Answer. No, sir.

Question. Do you know the name of any provost marshal?

Answer. Mr. Maniere is the provost marshal for this district, I understand.

Question. Would the persons on Dutch Hill be apt to know much about a United States marshal, as distinguished from a provost marshal?

Answer. I don't know as to that; without they got instructions from some party who would understand more than they would, they might not.

Question. They would not be apt to know all the deputy marshals attached to the United States court?

Answer. They most generally take all strangers as being connected with the the draft, and do not ask for information as to what office they come from.

Question. Do they take their friends who come there to make such inquiries to be connected with the draft?

Answer. Generally they know their friends when they appear to them.

Question. Suppose you knew them very well indeed, and had known them for seven years, but happened to have on a military cap and vest, would they give you the information?

Answer. If they knew me they might, and they might not; if they thought that I was connected with the draft they would not.

Question. If you told them that you were not, but that you wanted to know whether certain parties lived there, would they tell you?

Answer. It might be a question whether they would or not.

Question. Were you at the polls more than once during the election day?

Answer. I was at the polls pretty much all day.

Question. Did you go into the poll-room more than once?

Answer. I went in and out occasionally, and stayed there pretty much all day.

Question. Did you go home to meals?

Answer. I lived in the house where the polls were held, and took one meal.

Question. You were at the polls all day, so that you would have seen any irregularity?

Answer. Yes, sir. The eyesight of one of the inspectors was not very good, and he could not find the names on the poll-book, and he asked me if I would not help him; I stayed inside to help him and to find the names out as the voters came along.

Question. In the register?

Answer. Yes, sir.

Question. Then you were at the poll a good part of the day?

Answer. Yes, sir; most of the day.

Question. Did you know the parties who stood in line and voted?

Answer. A good many.

Question. Did you speak to any of those standing in line waiting to vote?

Answer. I may have spoken to some of them.

Question. If you had met any friend in the line, would you not have been apt to ask him about the election?

Answer. No; I might ask him if he had got his ticket, or something like that.

Question. What is your occupation besides your official position?

Answer. I sell rum—keep a liquor store.

Question. Your liquor store is where the poll was held?

Answer. Yes, sir.

Question. Did you sell any that day?

Answer. No, sir.

Question. Did you give any away?

Answer. I cannot tell; I had a man attending to it; there was a screen between the polling place and where the liquor was; the man stood behind there.

Question. Did you forbid him to sell?

Answer. Yes, sir.

Question. Did he obey your commands?

Answer. I think he did; he might have given away some, for all I know.

Question. How much did he give away?

Answer. I cannot say.

Question. Did he give away any?

Answer. I cannot say; I did not see him.

Question. You might have found out afterwards?

Answer. I never kept an exact gauge of the liquors to know when some were drunk.

Question. Would you swear that none was given away?

Answer. I would not.

Question. Did you see any drunk that day?

Answer. I cannot tell; I saw people drink, but could not tell that they were drinking liquor.

Question. Did you drink any yourself that day?

Answer. I might, but I cannot tell now; I do not know that I did.

Question. Did you go up to drink with any friend?

Answer. I do not believe I did.

Question. Not during the whole election day?

Answer. I might or might not, I cannot tell; I am not in the habit of drinking much liquor.

Question. Do you recollect seeing any one drinking liquor that day?

Answer. They might not be drinking liquor; they might be drinking water, or might be drinking gin, or other liquor.

Question. I want to know whether any liquor was given away or drunk there?

Answer. I cannot tell; I would not swear whether there was or not.

Question. Would you swear that you did not drink any yourself?

Answer. I would not; I may have drunk some outside of the house; I will not swear any such thing; I may have drunk it; I cannot tell now.

Question. You cannot tell whether any liquor was drunk there during the day?

Answer. There might or might not; I cannot swear there was; probably there was.

Question. Do you think there was much drunk there?

Answer. I do not know; I cannot say there was any.

Question. How many men did you see drinking in front of the bar?

Answer. I did not see any men drinking in front of the bar; I might go in to get coal for the stove, and might see some one fixing his tickets there, and he might be drinking water.

Question. Did you see any one drinking liquor there when you went in?

Answer. No, sir.

Question. Was the bar open?

Answer. No, sir.

Question. Was there a man behind the bar?

Answer. He was inside, behind the bar; he had to stand inside, as it would not do to leave the bar exposed; he had to mind his business.

Question. Do you think, if one of his friends asked him for liquor on that occasion, he would have refused it?

Answer. I cannot tell.

Re-examined by Mr. ANTHON:

Question. Are the people on Dutch Hill, or Clara Hill, as well posted up about policemen and the draft as any people in the city?

Answer. Yes, sir; and a good deal better than those on Murry Hill.

Re-cross-examined by Mr. PHELPS:

Question. Are you a naturalized citizen?

Answer. Yes, sir.

Question. How long have you been naturalized?

Answer. About twelve years.

Question. Where were you born?

Answer. In Ireland.

HUGH REILLY

Attest: JOHN R. BRADY, *J. C. P*

James G. Dimond sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. No. 82 West Thirty-third street.

Question. In what district and ward?

Answer. Twelfth district and Twentieth ward.

Question. Were you at the polls of the twelfth district, Twentieth ward, at any time, and if so, how much, during the day of the last November election?

Answer. I spent a greater portion of the day at the polls.

Question. Who were the inspectors there?

Answer. There was a Mr. Devlin, Mr Craig, and Mr. Curry.

Question. What were the politics of Mr Curry and Mr. Craig?

Answer. Mr Devlin is democratic, Mr Craig and Mr Curry are republican.

Question. State what was the course pursued by the majority of the inspectors—Craig and Curry—in relation to expediting or delaying the voting on the day of the election.

Answer. I took their course to be pretty slow.

Question Describe briefly the manner in which they acted in regard to challenges, finding names, and all those incidents of an election, which can be made to occupy more or less time as the inspectors desire?

Answer. I cannot say as to any particular instance.

Question. Speak as to the general course during the day.

Answer. The general course I should say was slow.

Question. In respect to taking a long or short time to find the names, and asking a great number of useless and unnecessary questions.

Answer. I cannot call any particular instance to mind.

Question Not an instance, but the general course.

Answer. There were some considerable challenges—more so than I thought was necessary; there were a number of soldiers' votes polled, and that took time.

Question. Were the challenges disposed of with promptness, or otherwise?

Answer. I thought certainly not with promptness.

Question. Was time taken in discussion about soldiers' votes or not?

Answer. No; I should not say discussions.

Question. In what, then?

Answer. There were disputes arose during the day, but I would hardly call them discussions.

Question. What would you call them?

Answer. What I mean to say is, that they were not lengthened discussions; they were conversations.

Question. Were names on the register found quickly, or otherwise?

Answer. They were not found quickly; one of the inspectors, Mr. Craig, is a man pretty well advanced in life; I think he had charge of the book to look over; he is a man that is probably from 45 to 50 years of age.

Question. Who was chairman of the board of inspectors?

Answer. Mr. Curry.

Question. What position has he held in public life?

Answer. I cannot state all.

Question. As far as you know?

Answer. He was captain of the Twentieth ward police a number of years.

Question. Is he not a man of quickness and promptness if he desires to be?

Answer. Not particularly so; I never looked upon him as a very active man.

Question. Have you been inspector of election yourself?

Answer. I have had that honor once.

Question. From your experience and observation, do you think it was practi-

cable or not to have polled votes more rapidly than was done at that poll, and at the same time have used due precautions to test properly every vote challenged, in compliance with the law?

Answer. Yes; I think I could have taken a much larger number of votes.

Question. How was it during the day in respect to the number of voters in attendance?

Answer. There was a large number present all day; the numbers varied.

Question. When the number in attendance, in consequence of this delay, was largest, how long did a man have to wait to deposit his ballot?

Answer. I think after 8 o'clock in the morning it would take a man from three to three and a half hours to deposit his vote; I would say three hours on the average. There was a time once or twice when a man could get his vote in in an hour.

Question. Was that late in the day?

Answer. No; it was probably in the neighborhood of 11 o'clock—from 10 to 11 was the slack time.

Question. Is not that generally the slack time in elections?

Answer. Yes, sir.

Question. What was the effect of this slow voting upon the voters, in respect to their voting or not voting?

Answer. There was a number of people that did not vote—that could not vote.

Question. About what number do you suppose were in attendance waiting to vote when the poll closed?

Answer. I should judge in the neighborhood of fifty or sixty.

Question. Were these waiting to vote when the polls were closed?

Answer. Yes, sir.

Question. During the day, how was it in respect to voters leaving without depositing their votes, in consequence of the long time it took?

Answer. There was a number went away.

Question. Was the number large or small?

Answer. That I cannot tell; there was a number went away, and there was a number of voters returned, and there were some of those who returned who still did not vote.

Question. What is your impression, so far as you can form an opinion from the observation you had in respect to the parties waiting to vote when the polls closed, as to whether they were democrats or republicans?

Answer. I should judge the largest number who did not vote were democrats.

Question. Have you had opportunities for observing the feelings and views prevailing among laboring men and poor men generally in respect to the draft, or a liability to draft?

Answer. Yes, sir; I have had some little experience—considerable experience.

Question. Has there or not, for the past year, been an anxiety or apprehension among that class of the community upon that subject?

Answer. There has been a considerable apprehension.

Question. How in respect to their anxiety to escape being enrolled for the draft?

Answer. I find it very general.

Question. You have been in the military service?

Answer. Yes, sir.

Question. Do you think that a man going round with a cap and vest of a military description, and inquiring of women and children through tenement houses and among hovels as to the residence of particular persons, would be likely to get correct answers in respect to their residences or not?

Answer. I do not think he would be apt to get correct answers.

Question. Supposing the man who went through the neighborhood for such

purpose was a man known to be a decided opponent of the democratic party, and also to have been a policeman of a somewhat brutal character, do you think that he would be likely to obtain correct information as to the residences of men for whom he inquired?

Answer. Not very likely.

Question. Suppose, in addition to these other qualifications, he was known to be in the employment of the United States marshal?

Answer. It possibly might add somewhat to his difficulty, but I think either case would be bad enough.

Question. If you should want to show that there was a large number of voters in the district that could not be found at the residences stated, could you select for that purpose any better men than persons of this description to go round and make inquiries?

Answer. No, sir; I could not.

Question. Have you had opportunities to form an opinion as to the increase of population in this city during the past year or two, and the effect which such increase, if there has been an increase, and the increase in rents, have had in causing people to live in closer quarters, and in more crowded apartments?

Answer. I have had the opportunity of any ordinary individual, that is, ordinarily engaged in business; I should say that the high prices of rents and other things would tend very materially to crowd people together.

Question. Do you think there has been a considerable increase of population in the past year or two?

Answer. That I cannot say that I am competent to form an opinion on; but I have no doubt there has been some increase.

Question. Has there been an increase in the price of rents?

Answer. Yes, sir; I have experienced that.

Question. You are a master mechanic and employ laboring men, and you hear them talk in your shop, and you know the opinions and views which prevail among them. From the observation that you have had in such ways, what is your opinion in regard to tenements being more difficult to procure than formerly, and in respect to poor people living more closely together than formerly?

Answer. There is a much greater demand for tenements than there has been in former years; there has not been the same amount of buildings erected to supply the ordinary demand, and it has tended very materially to crowd tenements—more particularly in consequence of the high price of rents; rents went up from forty to fifty per cent. on tenement property.

Cross-examined by Mr. PHELPS:

Question. Did you go to the war?

Answer. Yes, sir.

Question. Have you any friends who went to the war?

Answer. I have, sir.

Question. Were there quite a number of residents of the Twentieth ward sufficiently patriotic to go to the field?

Answer. Yes, sir, a large number.

Question. Do you suppose that the number of enlistments from this city has amounted to many thousands at least?

Answer. Yes, sir.

Question. Do you know how many thousands have gone?

Answer. I may have heard it stated, but I do not know; I think I did read the adjutant general's report, but I do not know now.

Question. This city alone has contributed a great many thousands to the army?

Answer. Yes, sir.

Question. Did you, while present in the polling place, hear Mr. Craig or Mr. Curry use any threatening or discourteous words to Mr. Devlin?

Answer. No, sir.

Question. Do you know if, previous to this last election, there were any soldiers' votes allowed to be polled in this city?

Answer. I do not think there were.

Question. Then the law under which the inspectors of election acted, registering soldiers' votes, was a new one, and previous to this, untried?

Answer. Yes, sir.

Question. Do you know what the formula prescribed by law for the reception of soldiers' votes is?

Answer. I cannot say in respect to it.

Question. The question is only preparatory to my asking, do you know whether, to discharge all those formalities, would take considerable time?

Answer. I think that would depend a great deal on the expertness and desire of those whose duty it was to take them.

Question. At the same time is it not your opinion that it would take much longer than to receive the vote of a registered citizen?

Answer. It would take somewhat longer, but not much longer.

Question. Do you know how many challenges took place when you were there?

Answer. I cannot say; I was but very little in the polling-room.

Question. Did you hear any of these inspectors asking any questions except those directed to the qualifications of the voters?

Answer. I cannot say I did.

Question. They asked no impertinent questions?

Answer. I cannot say; I was in the room very little.

Question. I understood you, on your direct examination, to say that you thought there were more challenges than were necessary?

Answer. Yes, sir. I judge that from the number of people kept waiting.

Question. That was your only reason for thinking there were more challenges than were necessary?

Answer. I cannot say that was the only reason.

Question. Do you know what were the grounds of your impression, aside from the facts you mention?

Answer. Yes, sir. I had an impression previous to the election that there would be a desire, in districts of our ward where there was a majority of republicans, to shut out votes.

Question. You mean where there was a majority of republican inspectors?

Answer. I mean to say in districts in our ward where the majority of voters were democrats, and the majority of inspectors were republicans, there would be a desire to shut votes out, and that impression was strengthened somewhat on the day of election by the large number kept waiting to vote.

Question. Can you recall any other than the two facts you have mentioned—that so many were kept waiting, and that you anticipated beforehand that there would be such a delay—for your opinion?

Answer. I do not know that I have said there were more challenges than were really necessary. I do not mean to swear that there were any challenges that were really unnecessary; still, I think there was a desire and feeling to take advantage of any supposed necessity for challenge.

Question Did you hear Mr. Craig or Curry give utterance to any such intention?

Answer. No, sir.

Question. Did you see them do anything except making the challenges to show that they had such an intention?

Answer. No, I cannot say I did.

Question. Do you know what is considered a fair number of votes to be cast in an hour, taking all the detentions of an ordinary election?

Answer. I should say at least fifty or sixty votes in an hour.

Question. Is that what you consider the medium?

Answer. Votes could be taken much faster than that.

Question. Is that what would be considered a fair vote?

Answer No, I cannot say that; a minute is a long time to take for a vote; I was rather hasty in my answer; I think if there were three inspectors, fully competent, who could read readily without glasses, that there could be from eight hundred to eight hundred and fifty votes taken in a day; it depends greatly on the calibre and character of the inspectors.

Question Do you think that you could take that number and make all the necessary challenges?

Answer I think I could.

Question And take soldiers' votes, too?

Answer. I should say so; that would depend on the number of soldiers' votes. I do not mean to say that they could take eight hundred soldiers' votes.

Question. Do you know if this district ever polled as many as that?

Answer No, sir; I do not think it did.

Question. Do you know what was the largest number of votes it ever did poll?

Answer. No, sir; I cannot tell.

Question. You think there were some fifty or sixty voters left standing when the polls closed?

Answer I should judge so.

Question And I also understood you to testify that the majority of them were democrats.

Answer I judge so from the character of the district, which was strongly democratic

Question I understand that you have no other ground for your opinion that the majority was democratic.

Answer. Not particularly.

JAMES G. DIMOND.

Attest: JOHN R. BRADY, *J. C. P.*

In the matter of William E. Dodge against James Brooks.—Contested election.

To the honorable the House of Representatives:

I, George G. Barnard, a justice of the supreme court of the State of New York, before whom the annexed testimony was taken, residing at the time of taking said testimony and the doing of the acts hereinafter mentioned in the eighth congressional district of the State of New York, do hereby certify that, upon the application of the said James Brooks, a writ of subpœna was issued by a judge of a court of record, residing within the eighth congressional district, to all such witnesses as were named by him, requiring the attendance of such witnesses before me at a day and place fixed therein, in order to be then and there examined respecting the said contested election; that the said James Brooks ten days before the day appointed for the examination of the witnesses, gave notice in writing to the said William E. Dodge of his intention to examine witnesses, which notice contained a statement of the time and place of the proposed examination, the name of the officer who would conduct the same, and the names of the witnesses and their places of residence; that the witnesses whose depositions are hereto annexed attended, in obedience to said subpœna,

or voluntarily, at said time and place, and were examined on oath by me touching all such matters and things respecting the said election as were proposed by the parties aforesaid, or either of them, or by their or either of their agents or attorneys, and the testimony of the witnesses, together with the questions proposed by the said parties or their agents or attorneys, I caused to be reduced to writing in my presence and in the presence of the said parties and their attorneys, and to be duly attested by the witnesses respectively; that the said examination was commenced on the twenty-first day of March, 1865, and was continued by regular adjournments from time to time until the twenty-third day of March, 1865, when the same was concluded; and that the schedules annexed contain the said testimony and the whole thereof.

GEORGE G. BARNARD,
Justice Supreme Court.

Testimony for Mr. Brooks, taken before Hon. George G. Barnard, one of the justices of the supreme court. Mr. Waterbury and Mr. Authon for Mr. Brooks, Mr. Phelps for Mr. Dodge.

WILLIAM E. DODGE
against
JAMES BROOKS.

John McGowan sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. Across the street here, 113 East Thirty-first.

Question. At the last election, or previous to the last election, did you hold any office in connexion with the election?

Answer. No.

Question. No office in relation to the election?

Answer. At the election I did; I was appointed to the office previous to the election.

Question. What office did you hold?

Answer. Inspector.

Question. You were not one of the registers?

Answer. No, sir.

Question. In what district were you inspector?

Answer. In the third district of the Twenty-first ward.

Question. This present district here?

Answer. Yes.

Question. Do you remember whether there were any soldiers' votes polled in the third district?

Answer. Yes, there was.

Question. About how many?

Answer. I could not say how many; probably thirty or forty, probably not so many.

Question. Do you know a man by the name of Jeremiah Kelly?

Answer. I do not recollect any names of any soldiers that voted.

Question. What was the greatest number of soldiers' votes polled there by any one person?

Answer. I could not say the number that was voted by any one person. Mr. Fitz Simmons brought in some on that day, but how many I cannot say.

Question. Who were the inspectors with you?

Answer. Mr. Duncourt and Mr. Weizeman.

Question. They were republicans, were they not?

Answer. Yes, I think so.

Question. What time were the polls closed?

Answer. At sundown; we kept the polls open to the last moment.

Question. Were there any persons waiting to vote when the polls were closed?

Answer. I think not; I think the votes were all in before the polls closed.

Question. You were not a canvasser?

Answer. No, sir.

Question. Well, was the election conducted right in all respects in that district?

Answer. Yes, sir.

Question. You saw nothing whatever that was wrong?

Answer. No; there was one man offered to vote there that was wrong. He was challenged and went away.

Question. Did not vote?

Answer. No, sir.

Question. That was all you saw that was wrong?

Answer. That was all I saw that was wrong.

Cross-examined by Mr. PHELPS:

Question. Mr. McGowan, how many soldiers' votes do you think were polled in your district during the day?

Answer. I cannot say exactly the number; there might have been thirty; there might have been more.

Question. Are you sure there were not more than fifty?

Answer. No; nor forty. I cannot say the number. I left my poll-book on the clerk's table that night, and I could not refer to it to tell how many there were.

Question. Did you receive there, at the polls, all the soldiers' votes that were offered?

Answer. Well, there might have been some taken in when I went to dinner, at two o'clock.

Question. Were any rejected?

Answer. There were some rejected for informality. I believe they could not explain it to the chairman of the board of inspectors, and they went away, and in one instance, I believe, came back again.

Question. How many were rejected?

Answer. I could not say.

Question. Could you say ten were?

Answer. I think not.

Question. Do you think as many as five were rejected?

Answer. That I could not say.

Question. In the case of those accepted, Mr. McGowan, do you remember what formalities or proof were required on the part of the persons offering them to show that they were authentic and proper votes to be deposited? In other words, when a man appeared with a soldier's vote what was done with him when he offered it?

Answer. He was asked the usual questions that the law prescribed; and if he answered those questions correctly the vote was taken and deposited.

Question. Do you remember administering any oaths to any parties offering them?

Answer. I did not administer an oath all day; Mr. Duncourt was chairman.

Question. Do you remember his administering any oaths to parties offering them?

Answer. I do not remember distinctly, but I think he did.

Question. Do you know whether the names of all the soldiers whose votes were accepted were or were not on the register?

Answer. None of them were on the register; nor they were not on the register after they voted.

Question. You say Mr. Fitz Simmons brought some soldiers' votes; were they accepted?

Answer. Yes.

Question. Did he bring many or few?

Answer. Well, he brought more than one; probably half a dozen.

Question. Who received those, the chairman?

Answer. Yes.

Question. Do you remember before what officer the oath was taken of the soldier?

Answer. No, sir.

Question. Did you look at the affidavits accompanying the soldiers' votes?

Answer. No, I didn't; I had enough to do to check the votes that came in. There was a great crowd, and we were so busy. I had the poll book in my hand and was checking the votes all day, and that was all I did do. Mr. Duncourt was the principal inspector in taking all the evidence that the voters were required to give.

Question. Are you willing to swear that in every case where a party offered a soldiers' vote, and the name of the soldier was not upon the register, your chairman of the board made the party offering it take any affidavit?

Answer. No.

Question. You are unwilling to swear that in every instance he did?

Answer. No.

Question. You think Mr. Fitz Simmons might have brought six votes?

Answer. Yes; he had more than one in his hand.

Question. Was Mr. Fitz Simmons put upon oath?

Answer. I think not.

Question. He offered his votes and they were accepted, without he himself being sworn?

Answer. Yes.

Question. Who is this Mr. Fitz Simmons; what is his first name?

Answer. Patrick, I think.

Question. His occupation?

Answer. He keeps this store on the corner of Second avenue and Thirty-first street.

Question. What kind of a store?

Answer Liquor store.

Question. Was any liquor sold during the day?

Answer I did not see any.

Question. Do you know of any being sold?

Answer. No, sir.

Question. Will you swear there was no liquor sold there?

Answer. I will not.

Question. Was Mr. Fitz Simmons in the poll-room any portion of the day?

Answer. Yes.

Question. How large a portion.

Answer. He might have been there all day for all I know.

Question. Was he immediately in the room in front of the poll?

Answer He was, sometimes; sometimes he would come around in front of the poll, and I used to see him come in the rear of the poll too. There was a passage-way to come in to the rear of the poll-room. There was a cloth across the room that divided the bar from the polling-place, and he had access to this liquor place by going in the back way.

Question Did you see him urging anybody to vote during the day?

Answer. I did not.

Question. Do you know what his politics are?

Answer. He is a democrat, I believe.

Question. You say when the polls were closed, you believe all the votes there ready to be offered had been received?

Answer. I think so; I am under the impression that there was no more when the poll closed.

Question. You say there was one man whose vote was challenged; what was the ground of the challenge?

Answer. On the ground that he was not a qualified voter.

Question. Was more than one challenged during the day?

Answer. That was the only one of any consequence.

Question. Who challenged him?

Answer. Mr. Duncourt; I would have challenged him if I had recognized his face, and committed him, too, if I had not been a little later than he was.

Re-examined by Mr. WATERBURY:

Question. The soldiers' votes that were rejected; were they rejected with the concurrence of the two republican inspectors?

Answer. I didn't say any was rejected; I ain't sure there was.

Question. You are not sure any were rejected?

Answer. I am not.

Question. If any were rejected, were they with the concurrence of the two republican inspectors?

Answer. They were rejected with the concurrence of the full board.

Question. If any were rejected?

Answer. Yes.

Question. Did any one poll more than six soldiers' votes that day, do you think?

Answer. I think Mr. Fitz Simmons had more soldiers' votes than any one else there that day.

Question. That was the greatest number polled by any other person—other than Fitz Simmons?

Answer. There might have been two or three.

Question. But you think not more than that?

Answer. No, sir; I do not think so.

Question. You checked the registry list all day?

Answer. Yes.

Question. Were there two?

Answer. Yes.

Question. Who checked the other?

Answer. Mr. Weiseman.

Question. The management of the election, then, was conducted by Mr. Duncourt, the republican chairman of the board?

Answer. Yes, sir.

Question. That is all.

JOHN McGOWAN.

Attest:

GEO. G. BARNARD,
Justice Supreme Court.

Thomas G. Cowen sworn.

Examined by Mr. WATERBURY:

Question. Mr. Cowen, at or previous to the last general election did you hold any office in connexion with the election?

Answer. Yes.
Question. More than one?
Answer. No, sir; yes, I did, more than one.
Question. What offices?
Answer. One of the board of registry and one of the board of canvassers.
Question. What district?
Answer. Fifteenth district, Eighteenth ward.
Question. One of the canvassers of what district?
Answer. Twelfth district, Eighteenth ward.
Question. Who were you appointed by to those offices?
Answer. Supervisor Briggs.
Question. By the board of supervisors?
Answer. Yes, I presume so.
Question. What do you mean by Supervisor Briggs?
Answer. Through the board of supervisors.
Question. Nominated by him?
Answer. Yes, nominated, I should say.
Question. How is the board of supervisors composed in respect to politics?
Answer. Half and half, I believe.
Question. Half democrats and half republicans?
Answer. Yes.
Question. Happy family, equally divided?
Answer. Yes.
Question. Were you appointed by the board of supervisors to both those positions?
Answer. Yes.
Question. When did you commence the performance of your duties as one of the board of registers?
Answer. Three weeks previous to the election.
Question. On Tuesday morning?
Answer. Yes.
Question. Who were the other registers with you?
Answer. I believe their names are Mr. James Dougherty and Mr. William Hall.
Question. What were their politics?
Answer. As far as I know about them they are republicans.
Question. Did you hear them express themselves?
Answer. No, sir; they didn't have much to say.
Question. Who was clerk of the board of registers?
Answer. I disremember now; a young man by the name of Brady, and then he resigned. His brother acted for a day or so, and then I objected. Then, in my absence they went to work and held an election, and they elected this Andrew J. Brady, I believe, or some such name as that; still, I could not object to him when he was elected.
Question. Elected him clerk?
Answer. Yes. His brother stated to me the reason why he did not care about acting—he wanted to throw a few dollars in his brother's way. His youngest brother said that—I disremember his first name.
Question. Were you sworn in as a register?
Answer. Yes.
Question. What days did you attend the sessions of the board?
Answer. I attended every day.
Question. The first Tuesday, Wednesday, and Thursday?
Answer. No, sir; on Tuesday we met and adjourned, and then Wednesday we met; Thursday we did not meet until next week—did not meet until next Tuesday.

Question. Next Tuesday, or Tuesday before election?

Answer. Tuesday before election.

Question. You did not hold session three days the first week, then?

Answer. No, sir; we did not.

Question. How many days were you in session before the election?

Answer. I disremember; I think it is two or three days, if I am not mistaken.

Question. Were any names entered on the registry in opposition to your republican colleagues?

Answer. No, sir; there was not. They objected to it at first, and then they consented. Mr. Thompson, the proprietor of the house—we told him to enter all the names that had come in, and at the next day we would write them down in the registry book. So we done so, and Mr. William Hall objected to it at first, and afterwards consented.

Question. Were any names entered on that registry, so far as you have any knowledge, except those that were taken from the old poll-list of the twelfth district, and those of people who came there and registered themselves, or those which were taken from known citizens?

Answer. No, sir; there was not.

Question. At the conclusion of the registry did Mr. Brady, the clerk, prepare copies of the register?

Answer. He did, sir.

Question. Were they signed by the three registers?

Answer. Yes.

Question. What was done with the copies?

Answer. I received one copy.

Question. For what purpose?

Answer. To hand over to the inspector.

Question. What inspector?

Answer. Dennis B. Brennan.

Question. Did you hand it to him?

Answer. Yes; not personally; I sent it down and he received it.

Question. Who took the other copies?

Answer. Mr. William Hall, and I presume Mr. Dougherty.

Question. In the making of that register, from first to last, did you see anything done that was wrong?

Answer. No, sir; I did not.

Question. There is a Mr. Nicholas Cowen, is there not?

Answer. Yes.

Question. What polls did you attend on the day of election?

Answer. I was present at the twelfth district polls, and I used to take a walk round. I went once to the fifteenth district.

Question. Were you at the thirteenth?

Answer. No, sir.

Question. But you were at the fifteenth?

Answer. Yes.

Question. How was the election conducted at the fifteenth? Did you see any disorder?

Answer. No, sir; I did not see any disorder; I saw that the opposite party were not conducting it proper, as I thought, and when I went down there I saw quite a line of men waiting to vote, and I went up there to where they were voting, and I hear an inspector—I don't remember his name—ask one of the voters how he spelt his name, and because the way he spelt it did not correspond with the name on the poll-list he objected to it.

Question. What were the politics of the inspectors there?

Answer. I believe there were two republicans and one democrat.

Question. Do you remember Mr. Chase?

Answer. No, sir; I do not remember any republican inspectors there. I do not know them.

Question. Do not you remember their appearance?

Answer. No, sir; I do not know as I did.

Question. You do not know Mr. Hall?

Answer. No; I was not acquainted with any of them.

Question. How did those inspectors conduct the election in respect to expediting or delaying it?

Answer. I was not there much of my time; I did not stay a great while. I only objected to the way they carried on the election.

Question. Why did you object?

Answer. On the grounds that because the gentleman did not spell his name the same as it was written on the poll-list, they would not receive his vote. I said no man was compelled to spell a man's name the same as he spelled it himself.

Question. Was there not an appearance of desire to delay the voters in regard to finding fault, and so forth?

Answer. Yes; I think that was their object.

Question. You formed that opinion?

Answer. Yes.

Question. Did you hear any complaints in respect to the clerk having, in making out the register, put down the wrong residences of people?

Answer. Yes; I caught him, I guess, full a dozen times making errors. When a gentleman lived in Fifteenth street, say five hundred and some odd Fifteenth street, he put it down in the book five hundred and some odd Sixteenth street.

Question. Different times?

Answer. Yes, different times; and he used to have an excuse. He said it was a mistake. But it was not only once, but several times. I suspected that he came there with no good intention.

Question. You did not suspect he tried to make any errors for the benefit of the democratic party, did you?

Answer. No, sir, I did not.

Question. Do you know Brady's politics?

Answer. No, sir; I do not know it at all.

Queston. The matter of the appointment of the clerk and the performance of his duties was controlled, I suppose, by the republican inspectors of registry?

Answer. Yes.

Question. Did they swear him in your presence?

Answer. No, sir; I happened to be a little late, and when I came I told Mr. Dougherty Mr. Brady could not act as clerk there any more. He asked my reasons, and said I, "The young man I don't think is acting square." Says I, "He is putting down residences to the wrong number of streets." Says he, "If I knew that I would object too." "Well," says I, "you know as well as I do." So next day, when I came down, I saw him writing. Says I, "Mr. Brady, I object to your acting as clerk here any longer." Mr. ——— turned round and says he, "We have elected him clerk." Says I, "You do not act here unless you are elected;" and Mr. Hall and Dougherty told me he was elected. I had nothing further to say.

Cross examined by Mr. Phelps:

Question. Who did you say were your associates in the board of registers?

Answer. I believe their names were Dougherty and William Hall.

Question. How long did you know these parties?

Answer. I have known Mr. Hall several years.

Question. How well did you know Mr. Dougherty?

Answer. Not at all previous to seeing him at the board of registry?

Question. You said in your direct examination they said very little. If you did not know Mr. Dougherty at all before, and but little knew Mr. Hall, how did you judge of their politics?

Answer. I tried to get a young man of my acquaintance appointed a clerk, and made it my business to go up to a friend of mine to ask if Dougherty would not cast his vote in favor of him, and he would not because Mr. James Thompson got him appointed. That is the reason why I think Dougherty did not belong to the democratic party.

Question. Because a certain James Thompson got him the appointment?

Answer. Yes.

Question. Why did you think Mr. Hall was republican?

Answer. I understood him to be identified with the republican party as long as he lived. He has got a certain portion of the carting to do in the public streets, to my knowledge.

Question. Did you ever know of democrats employed in the public offices under a Union administration?

Answer. Yes, some; but I know Mr. Hall is a republican of our ward, and he has never been, to my knowledge, identified with the democratic party.

Question. How then do you know that he is identified with the republican party, except that he holds a minor position with a public office?

Answer. Because I know he has been a worker for them. I know some men of the republican party, and I have it from them.

Question. How soon can a man who has received his papers be registered—a foreign citizen?

Answer. I think it is fifteen days, if I am not mistaken.

By Mr. WATERBURY:

Question. After he gets his papers, ten isn't it?

Answer. Ten or fifteen; I won't swear.

Mr. PHELPS, resumes:

Question. How many days must he have resided in his district?

Answer. Ten.

Question. How many in the ward?

Answer. Thirty days, to the best of my opinion.

Question. How many in the county?

Answer. Sixty.

Question. How many in the State?

Answer. One year, I believe.

Question. If at the board of registry, a party should bring a soldier's vote, and ask that the name of the soldier whose vote he had should be registered, would you allow it to be registered?

Answer. If he resided in the district previous to his going into the army.

Question. Did you register the names of any soldiers in this district?

Answer. I believe there was one, if I ain't mistaken. It is all I recollect.

Question. Who offered it?

Answer. I don't know the gentleman; never saw him since or before.

Question. Do you know what the requirement of the law is, as to the appearance of parties personally who desire to be registered? Must they appear personally?

Answer. Yes, according to law.

Question. Were the names of any parties put down in this register who did not appear personally before you or the board?

Answer. Yes, some, with the consent of the board.

Question. Was a full board always present?

Answer. No, sir.

Question. How much of the time was Mr. Dougherty present?

Answer. Pretty much all the time.

Question. Was he there pretty much all the time of the second session?

Answer. Yes.

Question. Was he there——

Answer. He was away a day or so, I think, the second session.

Question. Was he not away nearly the whole of the second session?

Answer. I disremember whether he was or not—cannot exactly say.

Question. Did you take any names the first session you sat?

Answer. No, sir; not to my knowledge; we organized and adjourned.

Question. How much of the time that week, which was the third before election, were you present at the place?

Answer. I was there pretty much all of the time.

Question. Why were you there all the time if you met and adjourned?

Answer. With the exception of the first day.

Question. The first day you met and adjourned?

Answer. Yes.

Question. Then the second day you met again?

Answer. Yes.

Question. Who did you appoint chairman?

Answer. Mr. William Hall.

Question. Did Mr. Thompson bring any book with names upon it?

Answer. Yes.

Question. What kind of a book was this?

Answer. It was a book I should judge, about — a regular account book.

Question. Were there any names upon the book?

Answer. Quite a number.

Question. What does Mr. Thompson do?

Answer. He keeps a liquor store.

Question. Was it there in the liquor store that the board was sitting?

Answer. Yes.

Question. What were the politics of this Mr. Thompson?

Answer. I cannot exactly say; I believe he was a democrat.

Question. Do you know where he got all the names on this book?

Answer. No, sir; except that they came there for to have their names registered, and with consent of the board of registers he took their names down on this book and memorandum.

Question. Did the board, when they met this first day, tell Thompson to gather these names?

Answer. Yes.

Question. How many names were there on the book?

Answer. I cannot exactly say.

Question. Were there three hundred?

Answer. I cannot exactly say; I did not count them.

Question. Approximate?

Answer. Between one hundred and fifty and two hundred, to the best of my opinion.

Question. When did he hand in the book?

Answer. The second day of the session.

Question. Do you believe then these one hundred and fifty, or whatever there were, presented themselves personally at Mr. Thompson's shop during the interval from the first session?

Answer. I cannot say; I presume they did.

Question. What time did you adjourn the first day?

Answer. We met at nine o'clock and elected our chairman, Mr. Hall; he swore me and Dougherty, and I swore Hall in, and Hall swore in Brady.

Question. Which Brady?

Answer. Not Andrew Brady.

Question. What time was it when you left the rooms?

Answer. I should judge half past nine or ten, or something about that time. We did not delay long there. It appears Mr. Hall and Brady had business down town. They wanted to adjourn, and Mr. Dougherty did; I did not wish to adjourn.

Question. How much of the next day was Mr. Hall present?

Answer. He came there in the morning, stayed, I should judge, about an hour; went away and came back in the afternoon; he came about three or four o'clock.

Question. How much of the time was you away that day?

Answer. Next day I was there pretty near all day.

Question. Then did you sit a third day that week?

Answer. Not to my knowledge.

Question. During that second day how many presented themselves to be registered?

Answer. Not a great many until evening; then the clerk was kept pretty busy writing; I cannot exactly tell the number of names.

Question. Did Mr. Thompson hand in any names except those that were in this book? Did he hand in any on slips of paper?

Answer. He might have done that.

Question. Do you know of his doing it?

Answer. No, sir, not to my knowledge; it might have slipped my memory.

Question. While you were present did any parties hand in names of citizens written on slips of paper, and ask the board to enter them?

Answer. Not to my knowledge.

Question. During the second session, and the one immediately before election, how much of the time was Mr. Hall present?

Answer. Mr. Hall was not present any day of the session only about an hour or a half hour in the morning, until afternoon; he appeared to say he had business down town that he had to attend to.

Question. How much of the time were you and Andrew Brady alone.

Answer. One or two days we were alone five or six hours; perhaps not as long as that.

Question. How many names did you enter while you and he were alone?

Answer. I cannot exactly say; some days a few, and some days a good many.

Question. What was the greatest number of names entered in one day?

Answer. I cannot exactly say.

Question. As many as sixty?

Answer. I cannot say.

Question. Five?

Answer. Yes, I should judge there were over five.

Question. Over twenty?

Answer. I guess so.

Question. Over thirty?

Answer. I cannot exactly tell the number of names that was registered on the poll-list. I did not exactly keep a memorandum of them.

Question. You said Mr. Dougherty was there first most of the time; you said subsequently, at the second session, that he was not there?

Answer. He was not there to my knowledge—I think it was the second session—some of the time.

Question. How much of the time was you away?

Answer. The last part of the session, the most part of one day.

Question. Who was acting while you were away?

Answer. I left Mr. Thompson there to watch Mr. Brady. I suspected that he would not act right, and being as I was the only democrat there, in case I used to go away I used to tell Mr. Thompson to keep an eye, to see that the names and numbers were kept down right.

Question. This was the last day of the session?

Answer. Oh, whenever I would go to dinner, I used to tell Thompson.

Question. Well, you said there was one day you were away?

Answer. I think it was the second.

Question. Do you know how many names were entered during that day? What is your occupation?

Answer. I am a stone-cutter by trade.

Question. Did not you practice your trade while you sat as register?

Answer. No, sir; I ain't working at it at the present time.

Question. Do you know where Mr. Dougherty was during the second session?

Answer. No, sir, I do not.

Question. Do you believe that Brady purposely entered the addresses wrong?

Answer. It looked very much like it.

Question. You say you did not know the young man Brady at all?

Answer. No, sir, I did not.

Question. Then what reason have you for supposing that his character was so bad?

Answer. I caught him so many different times doing this thing.

Question. Did not he correct them when you called his attention to the fact?

Answer. Yes, I corrected him several times.

Question. Did he offer any opposition to the correction?

Answer. No, sir, he could not.

Question. You didn't know that Brady, who acted as clerk, was sworn?

Answer. As to the other two inspectors, they were sworn officers and obliged to do their duty.

Question. How many names did you see these errors in?

Answer. I cannot say; there were quite a number.

Question. Would you swear as many as twelve?

Answer. I would not swear to any certain number.

Question. As many as six?

Answer. I would not swear to any number,

Question. Would not swear?

Answer. I think, to the best of my opinion, there were as many as seven; perhaps more.

Question. Did you know this Brady was a democrat and voted for Barr?

Answer. No, sir. I did not know his politics at all. I thought he could not be a democrat when he got two republicans to vote for him in the board of registers.

Question. You say that during the election day you went down into the fifteenth district?

Answer. Yes.

Question. You found an officer challenging and apparently refusing the vote of a man because his name was spelt wrong?

Answer. Not challenging—refusing.

Question. Do you know what that name was?

Answer. No, sir. I did not know the gentleman.

Question. Do you know how the name was mis-spelt?

Answer. No, sir; I do not.

Question. Would not you be of opinion, if our Judge Barnard here should present himself to vote and should not be allowed to vote if they found the

name of George B. Brady instead of Barnard, they would be right in refusing it?

Answer. Yes; they would be right in refusing that. It don't sound alike at all.

Question. Can you tell whether these names that were refused did sound right?

Answer. I do not know. The inspector was asking the voter how he spelt his name. The voter spelt his name, and because it did not correspond with what he said, he said it did not correspond with the poll-list. I objected to it and he wanted to get an officer to put me out.

Question. If you was not near by and did not hear the name, how do you know but the difference between the name presented and the name on the poll-list was as great as between Barnard and Brady?

Answer. I disremember now whether I heard the name pronounced or not. To the best of my opinion I did, but I am not positive.

Question. Did you hear any other man having his vote refused because his name was not correct on the poll-list?

Answer. I heard so, but I did not see them. Mr. Thompson told me of over half a dozen, and during the time the board of registry were in session, why, my God, they were going to kill me down there—the democratic voters—because they had handed names in to me and I would keep a memorandum, and I would lay them on the table for Mr. Brady to enter, and when you go to examine the registry-book then the wrong street and number is in there. After the voters used to come round the second time, Mr. Brady would look over the book and say, "No, aint got your name," and they would get wild and used to accuse me of it, being the only democrat. I used to tell every voter, "I want you to make certain that your name is down there right."

Question. Then you only heard this one man whose vote was refused because his name was incorrect?

Answer. That is all.

Question. And you did not hear that name distinctly?

Answer. No, sir; I did not.

Question. Was there any dissatisfaction at this ruling expressed by the crowd?

Answer. Yes. There was dissatisfaction expressed all day long.

Question. Was there at that instant?

Answer. I heard them grumbling; I did not pay much attention.

Question. Did they grumble loud?

Answer. Yes.

Question. Did they make any threats?

Answer. No, sir; not to my knowledge.

Question. Were any threats made, and did you object to this conduct of the inspectors in refusing the vote?

Answer. I went up to the democratic inspector, and I said, "If that gentleman's name aint spelt exactly correct, because the number of the street and the house—all that—is the same, it is meant for the same person," and this inspector —I cannot exactly tell his name—ordered me out.

Question. When you said this to the democratic inspector what other reply did he make except the threat of having you arrested?

Answer. I went out then; I did not give him an opportunity to have me arrested.

Question. Did any one else in the crowd say anything to the inspector upon this subject?

Answer, No, sir; not to my knowledge.

Question. How long were you in the room altogether?

Answer. Not over a minute or two.

Question. Then all you know from your own observation of the fracas in the fifteenth district was this instance which you have narrated?

Answer. Yes.

Question. You say that you do not know but one inspector of the three who were there?

Answer. That is all, sir.

Question. Yet you said that a majority of this board were republicans.

Answer. I thought so.

Question. Why did you think so?

Answer. Because in the several wards, as far as the law is concerned, the way they arrange things in the board of supervisors is that all the even districts are republican, or all the odd districts, at an election.

Question. Did you, during the time you were present at the polling in the fifteenth district, hear the inspectors refuse the vote any man because his place of residence was incorrectly upon the register?

Answer. No, sir; I did not. I was not there over a minute or two.

Question. Do you know whether or not this party whose name, if upon the register at all, was incorrectly spelt, could not have voted by bringing in a householder to swear that he was a resident, without his name being upon the register?

Answer. Yes, he could.

Question. I will go back now for a question or two upon the matter of the register. When you called the attention of the other registrar to Brady's mistake, did this other inspector encourage Brady in his error?

Answer. No, sir, he did not.

Question. Did not encourage him?

Answer. Not to my knowledge.

Question. Did you hear him say, "If he was making such mistakes, I would object too?"

Answer. Yes.

Question. Do you believe when the register was complete and signed, that there were any addresses that were wrong?

Answer. I could not exactly say.

Question. Do you think there were any wrong?

Answer. I could not say; I understood so after the election.

Question. Do you think that you registered the names of parties who did not personally present themselves to you?

Answer. Well, according to law we could not, but being as we had a full board sanction it, we did so.

Question. Was there anything to show, any minute made of the fact, that the board sanctioned this deriliction?

Answer. No, sir; no written record.

Question. Now, inasmuch as you have said that the names of parties were entered who did not personally present themselves, which was somewhat contrary to the letter of the law, and inasmuch as you said that Brady made these mistakes, and you were informed afterwards that there were mistakes upon the register, your statement to Mr. Waterbury that the register was all correct, was made with the understanding of these exceptions.

Answer. Yes, I thought they were correct at the time.

Question. You further told Mr. Waterbury on the direct examination that you entered the names only of parties who presented themselves, or whose names were brought by well-known citizens.

Answer. Who is Mr. Waterbury?

By Mr. PHELPS, Mr. Brooks's counsel:

Question. How do you know all these names were brought up by what Mr. Waterbury calls well-known citizens—this long list of Mr. Thompson's?

Answer. Mr. Thompson is a man that has resided in that district a good

many years, and he is well acquainted. It aint very likely that Mr. Thompson should put down a gentleman's name that did not reside in the district, or out of the ward.

Question I want to know whether you believe of all these names that Mr. Thompson gave you, the bearer presented himself to Mr. Thompson?

Answer. I do not know that; I did not say it.

Question. Then you do not know where Mr. Thompson got these names?

Answer. No; only from this source—they entered his store, and he put their names down.

Question. Why would so many come to his store?

Answer. On account of its being known that the board of registry met there.

Question. Does he sell liquor at retail?

Answer. I suppose so.

Question. Well, how do you know that, of this long list of names given in to Mr. Thompson, some of these did not come in to get a drink, and not to get registered?

Answer. That I cannot say.

Question. How did you know where the board of registry was to meet?

Answer. From Councilman McGrath. I believe Mr. Hall and Dougherty got it from Alderman Ottiwell. There was a resolution passed in the board of councilmen, that they were to meet at the corner of Fifteenth street and avenue B—Mr. Thompson's; so I believe that could not pass in the board of aldermen, and so they held the board in Fifteenth street and avenue B—Mr. Thompson's house; that was the resolution passed by the board of councilmen.

By Mr. WATERBURY:

Question. What resolution passed the board of aldermen?

Answer. There were none; I do not think it was rejected or passed, and therefore it was held at the place passed by the board of councilmen.

Mr. PHELPS resumes:

Question. Do you know what the requirement of the statute is, as designating the places where the registry must be held?

Answer. I cannot say as I do.

Question. Do not you know it says the places of registry must be held in the place designated for holding the polls?

Answer. Yes.

Question. Had this place been designated?

Answer. In my opinion it had.

Question. By whom?

Answer. The board of councilmen.

Question. Had it been by a city ordinance passed by the board of aldermen, and with the signature of the mayor as well.

Answer. It had passed the board of councilmen.

Question. Had it passed the board of aldermen?

Answer. No, sir.

Question. Do you not know it is necessary for an ordinance to take effect to pass both boards?

Answer. Yes, to become a law.

Question. I want you to see if you cannot tell me what you think was the largest number of men who came to be registered any day?

Answer. I cannot exactly tell.

Question. Well, somewhere near; as many as two hundred?

Answer. I could not tell.

Question. You can tell whether there was as many as a thousand?

Answer. No, sir; I could not; I did not keep any memorandum of them.

Question. Could you not swear that a thousand did not come?

Answer. No, sir; I would not swear to any number.
Question. I think you might tell somewhere near?
Answer. I could not tell to any number before the board of registers.
Question. Well, I mean in one day—twenty or fifteen?
Answer. No, sir; I could not tell exactly.
Question. Well, tell about; not exactly?
Answer. I would not like to swear to any.
Question. That is all.

Re-examined by Mr. WATERBURY:

Question. This Jimmy Thompson who had Mr. Hall appointed. that you have spoken of, was that the one that was republican candidate for county clerk, and was appointed by Governor Fenton one of the harbor-masters?
Answer. Yes, I think; I won't swear positively.
Question. Well, that is the Thompson you referred to?
Answer. Yes, James Thompson, of the Eighteenth ward, the person that was for county clerk.
Question. Mr. Hall testified that he was a member of the republican elective committee of the Eighteenth ward; do you know any democrats in the Eighteenth ward belonging to that committee?
Answer. No, sir, I do not
Question. Now the place of registry—I understood you the councilmen designated the place first?
Answer. Yes.
Question. Do you know about what time it was?
Answer. No, sir; I cannot exactly tell the dates.
(Document put in evidence by Mr. Waterbury, and admitted and marked as an exhibit by Judge Barnard.)
Question. Who is alderman of the Eighteenth ward, or that aldermanic district?
Answer. John D. Ottowell.
Question. What are his politics?
Answer. Republican.
Question. Can there be any doubt about that?
Answer. I aint personally acquainted with the gentleman.
Question. Don't you know he is a very active and prominent republican?
Answer. I think he is, to the best of my belief.
Question. Do you know that the designation for holding the polls is generally passed when it is approved of by the board of councilmen in whose district it is to be held?
Answer. I am not fully informed on that point. The reason, as far as I could learn, why the fifteenth district was not designated by the board of aldermen, after it had passed the board of councilmen, was that Mr. Ottiwell wanted to get the polls of the thirteenth district moved to Nineteenth street, and George McGrath did not want to have them moved, and there was a fight between them in regard to it.
MR. WATERBURY. I will also put in evidence the ordinance of the common council dividing the Fifteenth ward into three election districts.
Question. This place where the board of registry met—was there, or not, an entry-way between that and Mr. Thompson's bar-room?
Answer. The entry-way led into the store, I believe.
Question. Was there an entry-way between the room and the store?
Answer. I believe there was. The entry-way was in Fifteeeth street and the entry in the store is in avenue B.
Question. Then the board of registry did not meet in the bar-room?
Answer. No, sir; a back room—private room.

Question. How much of the time were you there alone?

Answer. I don't think I was there at all alone.

Question. Not any of the time alone, when Mr. Brady went to dinner?

Answer. No, sir; I don't believe I was; I might have been, not over an hour; I don't recollect being alone there at all, though.

Question. If you were alone at any time, did you enter names on the register while Mr. Brady was absent?

Answer. I entered two names in presence of Mr. Dougherty.

Question. Did you enter any names in the absence of Mr. Brady or your colleagues, while you were alone?

Answer. No, sir, I did not.

Question. Did you, at any time during the whole registry, do more than take down names of persons who came there to be registered, which were afterwards entered upon the registry, with the approval of your colleagues?

Answer. No, sir; I done no more than that.

Question. Are you sure whether a man has to reside in the district ten or twenty days?

Answer. I am not certain.

Question. Are you sure whether he had to reside in the county sixty days or four months?

Answer. Sixty days, I think it is; I am not certain. I think it is sixty days in the county, thirty days in the ward, and ten days in the district.

Question. Are you sure the law don't allow a man to be registered unless he comes up and registers himself in person?

Answer. I am not positive of that.

Question. This fifteenth district—is it, or is it not, a district of large population?

Answer. It is very large; I should judge so at the last election.

Question. A large number of tenement-houses in the district?

Answer. Yes, they are tenement-houses.

By Judge BARNARD:

Question. What was the vote polled there?

Answer. Five hundred and some odd, I believe.

Question. How many persons were waiting to vote at the time that this inspector was delaying the canvass, delaying the election because the voter's name was not spelled exactly right?

Answer. I should judge there were over fifty; there were quite a line of them; I could not exactly judge.

Question. Waiting to vote?

Answer. Yes.

Question. If Brady should be on the poll-list instead of Barnard, you would call that a case of mis-spelling?

Answer. No, sir; it is a different name.

Question. This inspector who was delaying the election was not Mr. Brennan, was it?

Answer. No, sir, it was not.

Question. One of the other two?

Answer. Yes, one of them two.

Question. From what you saw, did you think any of those inspectors were in danger, or under terrorism?

Answer. No, sir; the police were there, and it was very orderly when I was there.

Question. Were the inspectors having entire control of the election?

Answer. Yes, they appeared to have.

Question. Those tenement-houses, do they generally have a good many voters in?

Answer. Yes, some of them does.

Question. About how many on an average do you think come from a tenement-house?

Answer. I couldn't exactly say; some houses down there has got perhaps thirty or forty voters, maybe more, maybe less.

Question. Five or six story houses are they generally?

Answer. Some of them.

Question. On some lots do they have rear houses?

Answer. Yes, some of them.

Question. Houses in the rear? Well now, you are somewhat acquainted with the Fifth avenue, too, I suppose?

Answer. No, sir, I am not.

Question. Walked through it?

Answer. Oh, yes, I have been through it.

Question. Which do you think would produce more votes, one of these tenement-houses, or a front of one block on Fifth avenue?

Answer. I should think the tenement-houses, some of them; not the whole of them.

Question. In some cases?

Answer. Yes.

Question. You said you resided in the twelfth district?

Answer. No, sir; I reside in the eighth district, at 181 Seventeenth street.

Question. Have you been often in the habit of going down in this part of the city?

Answer. I have not.

Question. Was the vote there a large vote in the district?

Answer. I should think they could poll over a hundred votes more under any kind of good inspectors that was anxious to take the vote in.

Question. Have you acted as inspector of elections?

Answer. No, sir.

Question. Only as canvasser?

Answer. That is all.

Recross-examined by Mr. PHELPS:

Question. You said you were in the fifteenth district about a minute?

Answer. I should judge so; that is, at the polls.

Question. You saw one man whose vote was refused because his name was not spelt right?

Answer. Yes.

Question. You said you believed there was an intention to delay the reception of votes?

Answer. I did not exactly say that; but to the best of my opinion that was the case.

Question. What ground have you for supposing that was the case?

Answer. Well, suppose my name was Cowen; I spell it C-o-w-e-n; if the clerk of the register should spell it C-o-w-i-n, should my name be rejected?

Question. Do you know the names were as near alike as that?

Answer. Well, I could not say; there was a couple of letters difference.

Question. Then your only ground for supposing they intended to delay was the fact that you saw them refuse the vote of a man whose name was spelt wrong?

Answer. Yes, that is my only reason.

Question. Now, Mr. Cowen, while I discover remarkable conscientiousness on your part, so much that you cannot swear whether there was one or a

thousand registered in the place where you were registering, you are willing to swear, in a place where you are not familiar, that there were a hundred or more ready to vote if they had the accommodation?

Answer. I judge so, according to what my friends told me.

Question. You are willing to swear, in this room where you were but a minute, excited in an altercation, there were about fifty present; and yet, in a matter where you personally acted, you cannot tell, even between one and a thousand, the number that came in to register?

Answer. I cannot tell exactly.

Question. I did not ask exactly.

Answer. I do not know. I should judge—well, some days twenty, and some days perhaps more.

Question. Would you swear that any day you registered as many as eighty who presented themselves?

Answer. I would not.

Question. As many as fifty who presented themselves personally?

Answer. I would swear to the best of my opinion.

Question. To the best of your opinion there was a day when there was as many as fifty?

Answer. Yes.

Question. What makes you think in any tenement-house there might be as many as thirty or forty voters? Did you ever know as many to vote from one house?

Answer. I know some houses in the Eighteenth ward where there are from twenty to thirty families.

Question. Can you tell any house?

Answer. Yes, I think I can. I believe there is a row of houses in Seventeenth street, between First avenue and avenue A.

Question You think there are as many as twenty families in each?

Answer. Yes, if I can believe what I hear. They are large houses.

Question. Have you any reason to believe that they contain as many as twenty families, except that they are large houses?

Answer. I believe, as far as I can learn, that the rooms are all occupied, and there are four families on each floor, five stories high.

Question. Can you tell me of any tenement-houses where you know of ten voters that voted?

Answer. I cannot tell.

Question. Do you know why Mr. Waterbury asked you that question, when by looking at the poll-list he might have discovered that among six houses at least there was none that polled more than seven?

Answer. I cannot tell.

Question. What time was it you were at the polling-place in the fifteenth district?

Answer. I think it was in the afternoon.

Question. If you are not in the habit of going down in the fifteenth district, how do you know that there were a hundred more legal voters there?

Answer. I judge so from the voters of the district that told me so at the time the polls closed, in the way they were delayed.

Question. Did they tell you they were legal voters, or simply that they were waiting to vote?

Answer. I don't know whether they were legal voters. They appeared to say their names were on the registry list.

Question. Is that any proof that they were legal voters, when they might have been taken from Mr. Thompson's list?

Answer. No, sir.

Question. You say that you were never left there alone.

Question. Those tenement-houses, do they generally have a good many voters in?

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Question. Is that any proof that they were legal voters, when they might have been taken from Mr. Thompson's list?

Answer. No, sir.

Question. You say that you were never left there alone.

Answer. I might; but I do not recollect any to my knowledge.

Question. When you went off and Brady went to his dinner, who was there?

Answer. Mr. Dougherty was mostly there.

Question. Well, when he was not there?

Answer. Then I was there; me or Mr. Thompson. I do not think Mr. Brady, at the time Mr. Dougherty was away, went to dinner; I am not sure, though.

Question. When you took the names of parties and put them upon slips of paper to be registered, who did you give them to to register?

Answer. I left them on the table. Sometimes I would hand them to Mr. Brady.

Question. When did you leave them on the table? When Brady was there?

Answer. No, sir.

Question. Are you willing to swear you handed no list of names to Mr. Brady when Mr. Hall was away?

Answer. I did not; only those names that appeared in person at the board of registers.

Question. Oh, you did hand those that appeared personally, to Brady?

Answer. Yes, I did when Hall was there. Mr. Hall was here at this time. Mr. Hall, and Dougherty, and myself was present.

Question. I understand that they consented to these names that were on Thompson's book, but I want to find out how you had Mr. Hall's consent to these names booked down when he was away.

Answer. I had a perfect right to enter the name of any person that appeared before me; I kept a memorandum of it; I didn't enter it on the registry list—on the poll-book.

Question. But did not Brady enter it?

Answer. I suppose so.

Question. And without saying anything to Hall about it?

Answer. I cannot say.

Question. Did you see him enter any names without reference to Mr. Hall?

Answer. He was kept busy writing, but he was copying off and entering names in the book.

Question. What is your business now?

Answer. I am what they call a gate-keeper in the county court-house.

Question. Who gave you that position?

Answer. I object to answering that; I do not think it is right.

Question. Was it given you by republicans?

Answer. No, sir; it was not.

Question. That is all.

Re-examined by Mr. WATERBURY:

Question. Have you not answered both Mr. Phelps and myself, in regard to numbers, by this rule, where your opinion was asked for, giving the numbers as you could, but refusing to swear absolutely to any number?

Answer. Yes.

THOMAS G. COWEN.

Attest: GEO. G. BARNARD,
Justice Supreme Court.

Adjourned to March 23, at 9 a. m.

Richard B. Connolly sworn.

Examined by Mr. ANTHON:

Question. You are the witness heretofore spoken of as Senator Connolly?

Answer. Yes, sir.

Question. Were you present at the thirteenth district of the Twenty-first ward on the night of the November election?

Answer. I was.

Question. Where was the poll of that district held?

Answer. In Twenty-third street, near the junction of Broadway and Sixth avenue.

Question. Do you know who the canvassers were in that district?

Answer. I know two of the canvassers.

Question. Who were they?

Answer. Mr. Baker and Mr. White.

Question. What are Mr. Baker's politics?

Answer. Democratic.

Question. And Mr. White's?

Answer. Republican; at least they acted for those parties.

Question. Who was with you that evening at that place?

Answer. Daniel W. Clarke.

Question. Did you find any one else there that you knew?

Answer. I think it was in the neighborhood of eight o'clock; it might have been a few minutes before or after, Judge Clark and I went over there; Baker and White were canvassing; there was a third person sitting at the table with them, and a police officer sitting outside; I think they were all the parties in the room.

Question. What was that third person doing?

Answer. I thought he was taking down the canvassing as they announced it—acting as clerk; I talked a little while with them and left; I had to go over on the Sixth avenue for a few minutes, and I left Clark there; when I returned, Baker and White were coming out of the door, as I understood, to go and take refreshments; I remained there with Clark, and this third person remained inside, and I think the police officer also. We stood at the door talking, and Judge Brady came up. We all three talked there for half an hour, perhaps. White and Baker returned while we were there—in about half an hour. I think Judge Clark remarked that they had no business to leave. There was not much said about it at the time. They were absent, I supposed, over half an hour.

Question. Where did they go?

Answer. I understood they went to Parker's refectory on the Sixth avenue—on the opposite side of Sixth avenue and in the Twentieth ward.

Question. Not in the Twenty-first.

Answer. No, sir.

Question. Do you know who this third person was?

Answer. No, sir.

Question. You say they were canvassing?

Answer. When I went in.

Question. What were they canvassing?

Answer. I could not tell; I didn't pay much attention to it at the time.

Question. What canvass, if any, were you specially interested in?

Answer. The congressional election.

Question. Had they canvassed that when these inspectors arrived?

Answer. I don't think they had announced that ticket.

Question. You are tolerably familiar with the election law, are you not?

Answer. Yes, sir.

Question. Can you tell us what ticket the law required to be first canvassed at the last election?

Answer. I couldn't say positively.

Question. Do you remember whether or not it was the presidential ticket?

Answer. Yes, sir; I do not remember the order—sometimes it varies.

Question. Where do you reside?

Answer. In Thirty-eighth street.

Question. You are familiar with the politics and with the people of this portion of the city, are you not?

Answer. Yes, sir; and have been so for years.

Question. What is the population in this ward now as compared with previous years; is it crowded, or otherwise?

Answer. Crowded; no doubt about that.

Question. What is the effect in the poorer districts of this crowding of population as to the number of persons contained in particular houses or apartments?

Answer. I understood from mechanics and workingmen that in tenement houses there are two families in a room—two occupants paying rent.

Question. That is the natural result of the increase in rents?

Answer. Yes, sir, and also of the difficulty of getting apartments.

Question. Did the vote of the eighth congressional district, at the last election, exceed your anticipatious or not?

Answer. No, sir; the vote would have been larger if we had more polling places; no doubt about that.

Question. What is your reason for saying that the vote would have been larger if there had been more polling places?

Answer. In some districts they were delayed in voting; they did not get in the vote; sometimes it is not convenient for a man to come up, perhaps, until it is late in the afternoon.

Question. That is, voters were left without an opportunity of voting by the polls closing?

Answer. Yes, sir; there were more voters in a district than had convenience for voting.

Question. You are aware that there is a draft impending at present?

Answer. Yes, sir.

Question. What would be the probability of a person in military cap and vest obtaining accurate information of the residence of voters at this time?

Answer. I think he would not have as good an opportunity as he would if dressed in citizen's clothes.

Question. For what reason?

Answer. A great many persons would not give names; they are afraid their husbands would be drafted, and they, the wives, would try and shield them in every possible way.

Question. What would, in your judgment, be the result if a person in police uniform, or known to be connected with the police, or with the United States marshal's office, undertook to obtain information?

Answer. It would have the same effect.

Question. Do you know the locality known popularly as Dutch Hill, in the Twenty-first ward?

Answer. Yes, sir.

Question. What do you suppose would be the chance of getting information of voters residing there by persons of either of the classes I have mentioned?

Answer. I think their chance would be very difficult.

Question. Is the population on that hill steady and constant in its residence for a series of years, or otherwise?

Answer. Well, I have known a great many men who have resided there for a number of years.

Question. Describe, as well as you can, the locality.

Answer. It is in the neighborhood of the Second avenue, and from Thirty-seventh street up on the east side as far as Fortieth street; it is a collection of shanties on the rocks.

Question. How many shanties are there?

Answer. I never counted them; there is quite a number.

Question. And they share with the rest of the ward in being crowded at this time?

Answer. Undoubtedly; there are some very good men there—industrious men.

Question. Do you think, if you wanted to get information about them, that you would send a police officer, or a man with brass buttons and a military cap there?

Answer. No, I don't think I would.

Cross-examined by Mr. PHELPS:

Question. When you were elected to the senate from this city were you the candidate of the republican or democratic party?

Answer. The democratic party the first time; the second time I ran I was nominated by a portion of the democratic party and a portion of what was called the republican party.

Question. If you were asked to state to what party you belong now, to which would you say?

Answer. The democratic party.

Question. On the evening of election day, when you visited the polling place of the thirteenth district, besides those friends you mentioned, are you tolerably sure that there were no persons present except the police officer and the parties engaged in the canvass?

Answer. I am pretty certain they were all who were there at the time I went in.

Question. Was the portion of the room where the table was which the canvassers used separated from the rest of the room by a railing?

Answer. I think it was, although I am not certain; I think there was a railing.

Question. Were you there when Baker and White left?

Answer. They were leaving.

Question. Were there many tickets upon the table at the time?

Answer. I think they had got through canvassing the ticket they were on.

Question. So there was no pile of tickets on the table when they left?

Answer. I don't think there was.

Question. Do you know Mr. Fox?

Answer. I might know him by sight.

Question. Do you know whether or not the third party was a canvasser?

Answer. Couldn't say.

Question. Could you say whether this man was Mr. Fox?

Answer. Couldn't say; Mr. White and Baker left the room with me.

Question. Did Judge Clark say anything to them at that time against the irregularity?

Answer. I think he did.

Question. Do you remember what he said?

Answer. That it was against the law. I considered it, at the time, a playful remark.

Question. Did you make any remark?

Answer. I don't remember.

Question. When they left was Judge Brady there, or did he come afterwards?

Answer. He came while they were away.

Question. What time in the evening do you think it was when they went out?

Answer. It might have been half past 8 or 9 o'clock; it was not very late.

Question. Do you think they were gone as long as half an hour?

Answer. Fully half an hour.

Question. Did you know whether either Mr. Baker or White had been inspector there during the day?

Answer. I did not.

Question. Do you remember the exact words they said when they were going?

Answer. They gave me the impression they were going out for refreshments.

Question. During the time that you were there did you see any one interfere with the ballots?

Answer. I remained standing at the door, talking.

Question. Could you see the table from where you stood?

Answer. No; I didn't observe it. I could see it if I looked in that direction.

Question. You didn't see the police officer meddle with the ballots?

Answer. No, sir.

Question. Have you any reason to suppose that he did meddle with them?

Answer. I have no reason to suppose so.

Question. You saw no ballots destroyed?

Answer. No, sir.

Question. Was Judge Brady by when those gentlemen came back?

Answer. He was standing at the door, talking with Judge Clark and myself.

Question. Are you sure Judge Clark was there when those gentlemen came back?

Answer. Yes, sir.

Question. Did Judge Brady say anything to them when they came back?

Answer. Not that I recollect. The clerk made some remarks about it.

Question. You say you couldn't tell what they had canvassed when they made this interruption?

Answer. Don't know; they were through with one box.

Question. And had not commenced with another, you suspect?

Answer. They were through with some—with two or three boxes.

Question. What means had you of knowing they were through with the congressional canvass?

Answer. I don't think they had canvassed the congressional ticket.

Question. What makes you think they had not canvassed it?

Answer. Because I was interested.

Question. But that would not have prevented its having been canvassed.

Answer. They were asked in relation to Congress, and they said they had not reached it yet. That is my impression.

Question. With reference to tenement houses and the crowd in them: could you mention to me any tenement house that you know of, where two families are in one apartment?

Answer. I could. A man told me, without my asking him, that they had two families in one room.

Question. You don't know but what those two families might have been connected?

Answer. No, sir.

Question. Do you know when the advance in rent, which you suppose was a sufficient occasion for this extraordinary crowding, commenced?

Answer. About a year ago. It has been increasing almost every month, particularly lately.

Question. Your opinion has been asked in reference to the influence in acquiring information, about the residences of voters, that a military cap and buttons upon a vest would have, if worn by the inquirer. Now, if an old man, who had been for some ten or fifteen years a resident of the district, who was personally known to the residents of nearly all the houses as a good, inoffensive gentleman; and if they, knowing he had been in the army, knew also that he had been out for two years—if such a man had come and asked them, and told them

that he came for no purposes of the draft, but simply for the purpose of the election, would you not suppose he could get the truth as well as any other man?

Answer. I don't know but he would be more likely to get it than the man in military garb.

Question. If he had been in military garb, but was known to have been out of the army for two years?

Answer. I think it would be one of the means of his not getting information sought for.

Question. Notwithstanding they knew him personally, and knew that he had not come about the draft?

Answer. He might.

Question. If you should come into any of those districts where you are well known, and have on a military cap and brass buttons, and tell them that you wanted such information, but not for the draft?

Answer. In some cases I might possibly get it where I was known personally.

Question. With reference to Dutch Hill: if you wanted to find out about the people there, and you knew a man who was very familiar with the district because he had spent two years in it, would you think the fact that two years previous he had been known as a police officer, would prevent him from getting information?

Answer. I don't know that it would; it would depend altogether upon the feelings of the people towards that man; how he behaved himself when he was a policeman; if he had persecuted them they would avoid him.

Question. If you had to get this information yourself, and you had only a choice between a man who two years ago had been a police officer, but knew the district thoroughly, and a man who knew nothing of it, but had not been a police officer, which would you choose?

Answer. I would take the man who did not know the district.

Question. You say that you have known some of the people in the shanties for years?

Answer. I have.

Question. Then they do not change their population?

Answer. One moves out and another moves in.

Question. Are there any large tenement-houses on the hill?

Answer. The hill is covered entirely with shanties.

Re-examined by Mr. ANTHON:

Question. Suppose this man with the remnants of a military dress seeking for information in this district was well known and very generally disliked and ill-thought of in the district; and suppose he was an habitual hanger on of porter-houses, and considered as employed in the United States marshal's office, and as interested in the success of the government measures so far as he could be—how do you think that those things would affect his chance of getting information?

Answer. If they knew the man under those circumstances, of course he could not get the information as well as a stranger.

Question. Suppose that the police officer was a man who had been celebrated for his brutal conduct on the police; that he was known in the district as "the butcher;" that he was known, after leaving the police, to have been a captain in a regiment with no very good standing in the United States army, and he was known to be now employed in the service of the United States marshal; what do you suppose would be his chance of getting information?

Answer. He would not get it, possibly. They would not give it to him.

Re-cross-examined by Mr. PHELPS:

Question. If this man, instead of being unpopular, was very popular and very well known, and very much liked, having an extensive acquaintance, and being always greeted with cordiality, would he not be able to get information?

Answer. Of course he would.

RICHARD B. CONNOLLY.

Attest: GEORGE G. BARNARD, *Justice.*

Michael Gehegan sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 131 East Thirty-eighth street.

Question. In what election district?

Answer. In the second of the Twenty-first ward.

Question. Did you hold any office in connexion with the general election in November last?

Answer. No, sir; I am a school officer of the Twenty-first ward.

Question. Were you inspector of election?

Answer. Yes, sir, I held that office.

Question. Who were the other inspectors?

Answer. Their names were Gideon L. Walker and Patrick McMullen, I think.

Question. Was the election conducted by the registry?

Answer. By the names on the book.

Question. On the registry book?

Answer. Yes, sir.

Question. How many copies of the register did you have there?

Answer. Two.

Question. Do you know Mr. Walker's politics?

Answer. He bears the name of republican.

Question. Did he or not check one of the register books?

Answer. I believe so, when he was there.

Question. How much time was he there?

Answer. With the exception of while he went to his breakfast and dinner, and then he left another man, whom I suppose he could rely upon, to check the books while he was away.

Question. Who was the other man?

Answer. Don't know.

Question. Was Charles H. Rogers the man?

Answer. I don't know; I forget his name, but would know him if I saw him. I have seen him often since.

Question. The man was selected by Mr. Walker?

Answer. I presume so, or some other party; he preferred to have him do so.

Question. He was not selected by your action?

Answer. No, sir.

Question. Did Mr. Walker, when present, and this man who took his place when absent, look, as voters came in, to ascertain whether their names were on the registry list?

Answer. Yes, sir.

Question. Were votes received from persons whose names were not on the list, unless they made the affidavit, and were identified, as required by law?

Answer. No, I think not; none were received without that.

Question. Do you know Mr. D. C. Birdsall?

Answer. Yes, sir.

Question. Was he there?

Answer. He was outside of the railing.

Question. With the consent of the democratic inspectors did he examine and check one copy of the register for them?

Answer. At times.

Question. When he did not do it, who did it?

Answer. I believe I did it sometimes.

Question. Did Mr. Birdsall perform any acts in relation to the election, other than checking that book, and taking the oaths of persons whose names were not on the list to the affidavit required by law?

Answer. He filled up affidavits, and, being a commissioner of deeds, I presume he had authority to administer the oaths to them, and that forwarded us along considerably.

Question. He filled out affidavits?

Answer. Yes, sir, sometimes, and sometimes Mr. Walker filled them out.

Question. Did he do anything else in relation to the election?

Answer. Not that I am aware of.

Question. How much of the time were you there?

Answer. All the time except while I was gone to my breakfast and dinner.

Question Was everything done rightly while you were there?

Answer. I did not see them do anything contrary to law.

Question. Do you remember that Mr. Birdsall did anything, except what you have stated?

Answer. Not that I am aware of.

Question. How many soldiers' votes were polled there?

Answer. Could not tell; did not keep any memorandum of them.

Question. You cannot tell whether the soldiers' votes had the democratic or republican indorsement?

Answer. No, sir.

Question. Did you receive the votes of soldiers whose names were not upon the poll-list, unless they were identified as residents of the district?

Answer. I think not.

Cross-examined by Mr. PHELPS:

Question. You say that your associates were Mr. Walker and Mr. McMullen?

Answer. I presume McMullen is the young man's name.

Question. Do you know the politics of McMullen, if that was the name?

Answer. I believe he is a democrat; I heard so.

Question. Who was the chairman of the board?

Answer. He was, I believe.

Question. When the register was brought and given to Mr. Walker in the morning, what did he say?

Answer. I don't remember what he said.

Question. Did he call your attention or the attention of Mr. McMullen to the fact that it was not regularly certified by the registers?

Answer. Don't remember.

Question. Can you swear that you don't remember that he called your attention to that fact?

Answer. I cannot swear; I can't bring to my memory whether he did or not.

Question. You said persons voted by the names on the book, meaning the names on the book of registry; did you mean to say by that that you received no vote unless the voter's name was upon the register?

Answer. In some cases votes came in with affidavits signed by soldiers, and their names were not on the books.

Question. When the votes came in with affidavits did you do anything on receiving the votes?

Answer. We received them as soon as possible.

Question. In case the soldier's name was not upon the register, and they handed to you an affidavit, did you receive his vote?

Answer. If we thought he was entitled to vote, we did; if not, we did not.

Question. When a man presented himself whose name was not upon the register and offered to vote, and handed you an affidavit, what did your board do with it?

Answer. If we thought that it was legal for him to vote, we allowed him to vote.

Question. How did you make up your minds, if he handed his affidavit to you, that he was not entitled to vote?

Answer. By the election law.

Question. In what method?

Answer. I cannot make use of the words now.

Question. Did you administer an oath?

Answer. Yes, sir.

Question. Did you, in every case, administer an oath when they brought an affidavit?

Answer. Can't say.

Question. What questions did you ask them when they brought an affidavit?

Answer. I was not chairman of the inspectors, therefore I had no business to ask questions?

Question. What questions did the chairman put?

Answer. Those questions that were necessary. I cannot name them.

Question. You say you did not see Mr. Birdsall do anything in connexion with this election except to check the register; were you able to watch him while you were discharging your duties?

Answer. I did not see him do anything else.

Question. Did you keep your eye on him all the while?

Answer. No, sir.

Question. Then he could have done that which was wrong without your seeing it?

Answer. I did not see him do anything wrong.

Question. Could he have done something wrong?

Answer. He might have done something outside of the book.

Question. Where he stood?

Answer. I was putting the tickets into the box sometimes, and he might be doing something while I was busy; I did not watch him; I did not suspect anything wrong.

Question. You say that this man, who checked the register in Mr. Walker's absence, was not appointed by the democratic inspectors?

Answer. We did nothing of the kind.

Question. How did it happen that when there were two democrats in the board, here was a party acting as inspector without their consent?

(Objected to by Mr. Anthon.)

Answer. I did not object.

Question. Did you know he was Mr. Walker's man?

Answer. I thought so.

Question. What made you think so?

Answer. Because he seemed, in talking and speaking in regard to political matters, to incline to that side.

Question. When Mr. Walker proposed that he should check his register what objection did you make?

Answer. I can't say.

Question. Did Mr. McMullen make any objection?

Answer. Can't say.

Question. Did the man who acted in Mr. Walker's place put any ballots into the box?

Answer. Not that I saw.

Question. If he had done it would you have seen him?

Answer. Somebody would.

Question. All this man did was to check the register during Walker's absence?

Answer. I don't know that he did anything else.

Question. Did you see him do anything except to check the registers?

Answer. That is all that I know of particularly.

Question. Do you know what the politics of Mr. Birdsall are?

Answer. He bears the name of a democrat, I suppose.

Question. Did he electioneer as democrat through the day?

Answer. I don't know what he did with regard to electioneering. He may have electioneered one way or the other.

Question. Did you see him offer ballots to anybody?

Answer. Not that I am aware of.

Question. Did you hear him urging any one to vote any particular ticket?

Answer. Yes, sir.

Question. Did you hear him ask others to vote for Mr. Brooks or Mr. Barr?

Answer. I don't know.

Question. You were there in the morning when the polls opened, when Birdsall brought the register with him?

Answer. I was there when the polls opened.

Question. Do you remember what Walker said to Mr. Birdsall when he handed him one of the registers?

Answer. I don't know.

Re-examined by Mr. WATERBURY:

Question. Was there harmony of action between the inspectors during the election?

Answer. Yes, sir. Walker knew me well, and I knew him well. Sometimes he votes the democratic ticket for me, and sometimes I vote the other side for him. He voted for me, if I can believe him.

Question. Did he make any protest against the action of the inspectors during the day—I don't mean an argument, but a formal protest to the action of the inspectors?

Answer. I am not aware that he did, but I think there was an effort made at one time to delay the voters.

Question. By whom?

Answer. By Mr. Walker.

Question. What time in the day was that?

Answer. I think it was some time in the forenoon. The polls were pretty crowded, and he finally consented to let the voting go on. We said it was better to take the vote as long as it was lawful.

Question. You did not feel as though it was consistent with your duty to delay voting?

Answer. I always want a man to vote if he is entitled to it. I hate to have a man challenged if he has a right to vote.

Question. Do you know of any man voting illegally at that election at that poll?

Answer. No, sir.

Re-cross-examined by Mr. PHELPS:

Question. What makes you think Walker was trying to delay the votes?

Answer. By his actions.
Question. By what actions?
Answer. Delaying parties; asking questions that were entirely unnecessary.
Question. That was your only reason for supposing it?
Answer. Yes, sir.
Question Did you interfere, or prevent him asking those questions?
Answer. No, sir. We talked quietly to each other.
Question. Did Mr. McMullen?
Answer. Can't say.
Question. The only reason you have for believing that he intended to delay voters was his asking questions?
Answer. Yes, sir.
Question. Can you tell me one question that he asked which you thought it was not his duty to ask?
Answer. I do not remember them now.
Question. Were all the questions in reference to the qualifications of voters?
Answer. Can't tell you.
Question. Were the questions pertinent, or about the number of the voters' children?
Answer. Nothing about the number of children.
Question. Did you hear him ask anything about the qualification of the voter?
Answer. I thought he sometimes asked questions he might omit.
Question. What was one of them?
Answer. Can't remember now. By his actions he was inclined to delay the voting.
Question. Did these questions relate to anything except the voters' qualifications?
Answer. Sometimes questions were asked that it was a waste of time to ask.
Question. Can you give me one such that he asked?
Answer. I told you before that I could not.
Question. Did Mr. Walker during the day object to anything that was wrong there?
Answer. He might have made some objections.
Question. He made some objections?
Answer. I believe so; sometimes.

Re-examined by Mr. WATERBURY:

Question How long have you lived in that district?
Answer. For years.
Question. Have been inspector?
Answer. Several times; and several times register.
Question. Are you well acquainted with the people in that district?
Answer. Pretty well.
Question. Mr. Walker has testified that of the votes you took that day, he believes over two hundred were illegal votes—votes of persons not entitled to vote?
Answer. Illegal?
Question. Yes, sir.
Answer. I would not like to think so. We went by the book and by the evidence given in each case.
Question You say that you are well acquainted with the people?
Answer. Yes, sir.
Question. And no one voted there, to your knowledge, who was not a voter?
Answer. There were a great many more votes polled at that election than was usual before.
Question. Has there not been an increase of population in the district?

Answer. I presume there has been.

Question. Was not the vote fuller all over the city at the last election than heretofore?

Answer It seemed to be.

Question. Was not there more excitement at the presidential election than at other elections?

Answer. It was very quiet where we were.

Question. Did not people take more interest in the presidential election?

Answer. It seems so by the number who came out.

Question. Did anything take place during the election that led you to believe that any persons voted in that district who were not entitled to vote?

Answer. Nothing that I am aware of. There were a great many strangers who came there and voted; they might have been entitled to vote for all I know; I am only six months in the place where I now live.

Cross-examined by Mr. PHELPS:

Question. Of all the men who came up to vote how many did you know per sonally?

Answer. I cannot answer that question.

Question. Did you know two hundred personally?

Answer. Can't say.

Question. Did you know six hundred?

Answer. Don't know; I did not know four hundred.

Question. Did you know three hundred?

Answer. I can't tell. I didn't count the parties I knew.

Question. You cannot tell whether you knew three hundred or not?

Answer. No, sir.

Question. Are you an American by birth?

Answer. No, sir; I am not.

Question. Were you born in Ireland?

Answer. Yes, sir; I was.

Question. You are a naturalized citizen?

Answer. I am.

Question. How long naturalized?

Answer Long enough to have a son a voter.

Question How many years?

Answer. Well, about twenty-four.

Question. You are willing to swear that you cannot say whether you know three hundred men who voted there?

Answer. I could not swear.

Question. Do you think you did?

Answer. I don't want to swear.

MICHAEL GEHEGAN.

Attest: GEO. G. BARNARD,
Justice Supreme Court.

John Connelly sworn.

Examined by Mr. ANTHON:

Question. Where do you live?

Answer. 344 Second avenue.

Question Were you employed in any way in reference to taking votes at the election in November last?

Answer. Yes, sir.

Question. In what district, and in what capacity?

Answer. I was in the thirteenth district, Eighteenth ward, as inspector and canvasser.

Question. Who were your associate inspectors?

Answer. A man by the name of Hargin, and a man named Jenny.

Question. There was some difference of opinion with regard to non-registered voters; will you state what it was, and what proofs you required?

Answer. They would have to give an affidavit.

Question. Were these affidavits in all cases made before an officer authorized to administer oaths?

Answer. I think so; they all purported to be so.

Question. You also required the testimony of a house-owner?

Answer. Yes, sir.

Question. How was that testimony furnished?

Answer. By voters standing around there who knew the man who had the affidavit was a voter.

Question. In what way did those householders prove it?

Answer. By swearing.

Question. Were the householders in all cases produced to the inspectors to be examined by them?

Answer. Yes, sir; sometimes the person holding the affidavit would have to go out and hunt for men who knew him.

Question. In those cases householders were received, were they not?

Answer. Yes, sir.

Question. In those cases were the householders at the same time brought forward to be examined, if the inspectors desired it?

Answer. There was not a man voted that made an affidavit but what had to get a householder to swear to his residence.

Question. And the householder was brought there so that he could be examined by the inspectors, if they desired it?

Answer. Yes, sir.

Question. Was the voting at that poll unduly rapid, or otherwise?

Answer. It was otherwise.

Question. Too slow?

Answer. Yes, sir.

Question. What occasioned the delay in voting?

Answer. More through one of the inspectors, the chairman, sir, than anything else.

Question. Who was the chairman who delayed the voting?

Answer. Mr. Jenny.

Question. What were your impressions as to his designs in conducting the election?

Answer. The impression that I formed at the time was that he intended to delay the democratic voters.

Question. What induced you think he was trying to delay the vote?

Answer. Well, the manner in which he acted; the questions he asked a man when he came up, repeated over three or four times; once would not be sufficient. When he first commenced I asked him several questions, when I found he was not deaf. He repeated the questions over and over again, which was very unnecessary, indeed.

Question. Did he engage in discussions about the representations of voters?

Answer. No, not much time.

Question. Were the votes received from all the voters who were ready and anxious to vote there?

Answer. I should think there were one hundred and fifty or two hundred who could not vote.

Question. Could you have received a larger number of votes had the voting been rapid?

Answer. I should think we could have received a hundred more.

Question. Those hundred votes you think were excluded by reason of the delay produced in balloting?

Answer. Yes, sir.

Question. Do you think that delay was designedly produced by Mr. Jenny?

Answer. Yes, sir, I think it was.

Question. Was Mr. Jenny a republican?

Answer. Yes, sir.

Question What are the politics of the district?

Answer. Democratic, sir.

Question. Overwhelmingly democratic?

Answer. Yes, sir.

Question Did you have any pistol there that day?

Answer. No, sir.

Question. Did you threaten to use any pistol on Mr. Jenny?

Answer. No, sir; I shielded him more than anybody else; there were parties who would have taken hold of him and thrown him out, but I would not allow them to do anything of the kind. Some outsiders said, "I will pull him out," or something of that kind.

Question. What were the reasons of that ill feeling towards him outside?

Answer. The majority of the people thought from the way he acted that he prolonged the voting; and there were people who stood hours in the rain, and were dripping wet when they came in, and were impatient at being excluded by his delay.

Question. Was there any great amount of disorder there?

Answer. None whatever, from the time the polls opened in the morning till they closed.

Question. It was an orderly conducted election?

Answer. One of the quietest I ever saw, without exception; that is, for a district such as that has been for years past.

Question. Was there any particular reason, in your mind, for calling upon General Butler to come down there and pacify you?

Answer. None in the world, sir; we did not have to put a man outside of the doors at all—we did not have to say anything.

Question. How many police officers were there?

Answer. I believe three or four were there; there were more in the evening when the votes were being counted.

Question. The police did not interfere that day?

Answer. No, sir.

Question. Do you remember who the officers were, there?

Answer. Could not tell; I know them only by sight; they were strangers to me.

Question. Do you know Mr. Owens?

Answer. Yes, sir, a gentleman by that name.

Question. Was he peaceable and orderly in his behavior?

Answer. Yes, sir: well, he had taken a drink or two, and he might have made a remark; I think he did say to Mr. Jenny that he was very slow, and ought not to be there, or to be appointed to fill that position. He was quite orderly; everything he said was gentlemanly.

Question. If Mr. Jenny says that he was very much alarmed by what took place, should you say that Mr. Jenny was a man of great courage, or a coward?

Answer. Well, I should think he was a coward, if he took alarm at what took place there; there was nothing to be alarmed at.

Question. How did Mr. Jenny act in reference to the reception of soldiers' votes?

Answer. He acted as though he did not want them to vote.

Question. Did he endeavor to delay their reception?

Answer. Yes, sir.

Question. What did he require to be shown with regard to soldiers' votes before receiving them?

Answer. Well, after receiving the soldiers' votes from the man holding the vote, this man (Jenny) would not put it in the box, without he got a property-holder to swear that this man voting the vote lived in the district; also that the soldier was absent in the field; and it took fifteen or twenty minutes to receive a soldier's vote.

Question. Do you mean that it took fifteen or twenty minutes?

Answer. Yes, sir; in the manner he took the votes.

Question. What was Mr. Jenny doing in the mean time?

Answer. He stood there asking questions on different things.

Question. And refused to receive votes?

Answer. And refused to enter a vote until this vote went in.

Question. Did you see Mr. James Irving there?

Answer. In the morning; but did not see him again.

Question. Was he particularly disorderly or turbulent during the day?

Answer. I did not see him during the day after that.

Question. Do you know in whose interest he was working for Congress?

Answer. For Mr. Barr, I think.

Question. Did you change any ballot that day, Mr. Connelly?

Answer. No, sir.

Question. Did you take any republican ballot from the hands of Mr. Jenny and substitute a democratic vote in its place?

Answer. No, sir.

Question. If Mr. Jenny swears that you took from him a republican ballot and handed him back a ballot with the democratic indorsement, what do you think of that statement?

Answer. I think it is a little manufacture.

Question. Who was the chairman of that board of inspectors?

Answer. Mr. Jenny was the chairman.

Question. Who received the ballots from the voters?

Answer. Mr. Jenny received them.

Question. Do you know of any illegal votes being received there that day?

Answer. No, sir; I do not.

Question. Do you reside in that district?

Answer. No, sir.

Question. Are you familiar with it?

Answer. Yes, sir; there are a great many persons whom I know in that district.

Question. Were you present at the canvass?

Answer. Yes, sir.

Question. Was it regularly and properly conducted?

Answer. Yes, sir.

Question. You signed the certificate of the result, did you not?

Answer. Yes, sir.

Question. Was it signed by the other inspectors?

Answer. Yes, sir.

Question. Was it correct?

Answer. As far as I have heard, it was; if it was not, it would have been sent back.

Question. So far as your own knowledge goes, was it correct?

Answer. Yes, sir.

Question. Now, generally, Mr. Connelly, was there any irregularity or impropriety in that election or canvass committed by the inspectors or by the canvassers?

Answer. No, sir; it was fair; no doubt in the world about it.

Question. Did the number of votes canvassed correspond with the record of the number of votes polled for Congress?

Answer. Yes, sir.

Question. Were there any double votes, or votes folded together, which were improperly counted as two votes?

Answer. No, sir.

Question. It is testified that there were eighteen double votes; were there any number of double votes that were improperly counted?

Answer. There might have been one, or two, or three, double votes, but not more, and they were not counted at all.

Question. By whom was the canvass made?

Answer. By the canvassers.

Question. Did any unauthorized person interfere with the ballots?

Answer. Well, a gentleman came in there in the morning and showed one of the poll-clerks where he had made a mistake in the footings.

Question. Were the votes counted?

Answer. Yes, sir; by the canvassers themselves.

Question. Do you remember Mr. Hargin acting as a canvasser?

Answer. Yes, sir.

Question. Do you remember of his trying to destroy a ballot that was among those to be counted?

Answer. I do not recollect anything of the kind.

Question. If Mr. Hargin did take from you or the table a ballot and attempt to destroy it, and that ballot was afterwards counted by you, was it a ballot which should have been counted legally?

Answer. It should have been counted legally, certainly.

Question. You have no remembrance of the fact?

Answer. Nothing of that kind took place, to my knowledge.

Question. In other words, you swear that no ballot was counted that should not have been counted?

Answer. No ballot was counted that should not have been counted.

Cross-examined by Mr. PHELPS:

Question. I understood you to say that your impression was that Mr. Jenny purposely delayed the reception of votes. Have you any other reason for this impression than the fact which you stated, that he asked many questions of the voters?

Answer. Nothing more than that I thought it was not necessary for him to do so.

Question. You told us what questions he asked persons bringing soldiers' votes. Which of those questions do you think were unnecessary?

Answer. Do you mean the gentleman holding the soldier's vote?

Question. You said he asked if the soldier lived in the district?

Answer. Yes, sir; how long he had lived there, and whether the man knew him to be a voter.

Question. Did you think any of those questions were improper?

Answer. Not as far as that went; but I did think that a third party should not be required; the law does not require one, and it does not require a property-holder to swear that the soldier was a voter there. It took three persons to poll a soldier's vote.

Question. Did Mr. Jenny ask any questions except those relating to their qualifications of voters?

Answer. No, sir; but he asked it over three or four times, which was unnecessary; once would have been sufficient.

Question. Are you sure that he did not ask the question a second time because the reply of the party was hesitating?

Answer, No, sir.

Question. Did he ask it over when the party answered it decisively.

Answer. I thought he was making believe.

Question. Do you know how long a man must live in a district before he can vote?

Answer. Thirty days in the county.

Question. How long in the district?

Answer. Ten days, I think.

Question. Do you know how long he should live in a ward?

Answer. Thirty days to entitle him to a vote in the ward.

Question. How long in the county?

Answer. Thirty days.

Question. How long in the State?

Answer. Six months.

Question. You said you think there were a hundred more men who would have voted there if they had had time?

Answer. Yes, sir.

Question. Do you know the politics of these men?

Answer. Could not say. They might have been republicans or democrats; they might have been one as much as the other.

Question. You say that, instead of terrifying or threatening Mr. Jenny, you shielded him?

Answer. Yes, sir?

Question. Can you give me the names of any of those parties who, from the front of the polls, shouted "Pull him out?"

Answer. They stood in the line; they made remarks to pull him out, or something to that effect.

Question. What time of the day was this?

Answer. In the forenoon.

Question. Was Mr. Owens one of those who said this?

Answer. Owens did nothing more than remark that he was too old to fill that position, and that it was very wrong to send him there to hold the election, which did not amount to anything.

Question. Did Mr. Owens come up and whisper this in his ear?

Answer. He said it so that everybody could hear it.

Question. Do you suppose Jenny overheard these parties say he ought to be taken out?

Answer. He said it so that everybody could hear it.

Question. Did the crowd appear to be very impatient?

Answer. Yes, sir. They stood in the rain there.

Question. You said you thought that that election went off very quietly?

Answer. I think it was a very quiet election.

Question. Were you ever inspector there before?

Answer. No, sir; but I have been there at elections before.

Question. On other occasions there has been considerable noise?

Answer. I have seen several fights there.

Question. And the district is strongly democratic?

Answer. Yes, sir.

Question. In view of the fact that the character of the district had been democratic, and there had been fights there before, and you were the only one to shield Jenny, do you not think he might have been afraid if he was a coward?

Answer. No, sir; there was nothing to be afraid of.

Question. Were you not in front of a large crowd that were threatening him?
Answer. He had the best of it on the inside.
Question. How many soldiers' votes did you refuse during the day?
Answer. I do not recollect refusing any.
Question. Were all the soldiers' votes brought there voted?
Answer. I think they were.
Question. Are you quite sure that there were none refused?
Answer. No, sir. They took their time—Mr. Jenny did—in receiving the soldiers' votes.
Question. Did you not request a certain party not to come up and offer to vote, telling him not to do it, that it took too long?
Answer. Well, I made that suggestion to Mr. Jenny.
Question. Did you not say to him that it would take too much time?
Answer. There were, at the time I made the suggestion, four or five soldiers' votes to be taken altogether.
Question. Did you know when you voted these that you made others wait?
Answer. Yes, sir; they waited there.
Question. I don't want to be impertinent; but how many drinks did you take during the day?
Answer. I don't recollect of taking one. I was sick all day, and liquor did not agree with me.
Question. Was there any liquor there?
Answer. Yes, sir.
Question. Who furnished it?
Answer. It came from some part of the house; the bar-room, I believe.
Question. You do not own the place?
Answer. No, sir.
Question. Who occupied the place?
Answer. I don't know. Could not tell his name, although I spoke to the gentleman afterwards.
Question. You know that liquor was sold in the house?
Answer. I don't know who paid for the liquor brought there for the inspectors I did not see any money paid for it. Whether it was given or paid for I don't know, sir; and I don't know whether there was any other liquor there or not, because the door that led into the bar-room was closed all day.
Question Did this crowd drink any while waiting?
Answer. I did not see them drink any.
Question. You say that Mr. Irving came in, and that he went for Mr. Barr?
Answer. He told me before election came off that he was going for Mr. Barr.
Question. Did he say anything which made you think he was for Mr. Barr on election day?
Answer. No, sir.
Question. Did you see Irving speak to Mr. Hargin?
Answer. Yes, sir.
Question. Did you see Hargin go out soon afterwards?
Answer. I did not take notice.
Question. Did Hargin go out at all during the day?
Answer. I think he went out in the middle of the day.
Question. Who took his place?
Answer. We appointed somebody to take his place.
Question. Did you administer the oath to this party who took his place?
Answer. The oath was administered.
Question. Who administered the oath?
Answer. Mr. Jenny administered it. I know I did not.
Question. Are you sure that Jenny did?
Answer. I would not be willing to swear.

Question. What do you think would be rapid voting; how many votes to the hour should have been taken, affidavits and all?

Answer. Well, that is difficult to arrive at There are instances when a voter, with an affidavit, will be suspected by the inspector as to whether he is entitled to vote or not, and therefore questions arise, and the inspector will have to delay the matter, and try to ascertain whether the man is a voter or not.

Question. Considering the many delays that occurred, would you think it was rapid or slow voting if one was voted in every minute?

Answer. I should think it would be very rapid.

Question. Did you ever know an election at which so many were voted?

Answer. I never knew one; I never figured on it.

Question. How many votes had this thirteenth district given before, and how many did it give at that election?

Answer. I don't know what the vote was last year.

Question. How many did it give this year?

Answer. Something over five hundred.

Question. Did it give as many as that last year?

Answer. I think it polled more this year.

Question. Did it ever before poll as many as this year?

Answer. Don't know.

Question. Did you ever know an occasion when there was not time enough for the voters to vote in this district before?

Answer. Time enough?

Question. Were any people shut out by not having an opportunity to vote?

Answer. They told me they had got in all the votes. I don't know anything more than what was told me.

Question. Had Owens taken any drink?

Answer. He might have taken a glass or two.

Question. Did you see him take a drink?

Answer. Not to my recollection.

Question. Was Owens a republican?

Answer. I think he was a democrat; I am almost sure he was.

Question. What was the mistake in the footings which a gentleman corrected?

Answer. Some one outside saw it; it was an error in tallying.

Question. You think there were not more than three double votes?

Answer. Not over three.

Question. Do you know in which order the votes were canvassed—which ticket you took first?

Answer. The presidential ticket, I think, first.

Question. What next?

Answer. The State.

Question. What next?

Answer. The county, I think, was next.

Question. What next?

Answer. Congressman, I think.

Question. What did you take last of all?

Answer. I think the last was the judiciary; I am not certain.

Question. Judiciary or supervisors?

Answer. It might have been the supervisors.

Question. Was Mr. Hargin appointed as canvasser?

Answer. I appointed him myself.

Question. Who was by the table during the canvass of the votes besides yourself and Mr. Hargin? Did the poll-clerks assist?

Answer. Yes, sir.

Question. Anybody else?

Answer. There were three or four police officers sitting around, and some spectators on the outside of us.

Question. You are quite sure there were not more than two or three double votes?

Answer. Not more than three.

Question. Did you find in the canvass any other irregular votes?

Answer. I might have found one or two irregular votes from other wards.

Question. Were those the only irregular votes?

Answer. All that I know of.

Question. Then you are willing to swear that there was not a written ballot on which it said, "George B. McClellan for President?"

Answer. I did not see one, sir.

Question. Did you keep a tally?

Answer. No, sir.

Question. Did Mr. Hargin keep it?

Answer. I don't remember that he did.

Question. Did Mr. Lyst keep a tally?

Answer. I don't think he did.

Question. Do you know what I mean by a tally?

Answer. Not exactly.

Question. By putting down on a paper the number of votes as they were called off.

Answer. Yes, sir; the poll-clerks did that.

Question. What time did Hargin leave the room?

Answer. Could not tell what time he left there.

Question. Do you remember what reasons he gave for withdrawing?

Answer. Could not tell.

Question. Did you hear him ask a policeman to see him safely home?

Answer. He did it out of my hearing, if he did it at all.

Question. At first did the tallies of the clerks and the number of votes correspond?

Answer. At first?

Question. Yes, sir.

Answer. I don't think they did, sir.

Question. Who came in and assisted in making them correspond? What were the names of the parties?

Answer. Only one person came in. I cannot call him by name.

Question. Was he proprietor of the place?

Answer. I am satisfied he was not proprietor of the place.

Question. Who beside this man and the poll-clerks and yourself had the poll-list and the tallies in their hands after the returns were signed in blank, and who found out that they did not agree?

Answer. Nobody that I know of outside of these men.

Question. Do you know what this man did—what his occupation was?

Answer. No, sir.

Question. What is your occupation?

Answer. I am a clerk.

Question. Where?

Answer. I am not occupied at all at present.

Question. Where have you been at work?

Answer. A clerk for Mr. Genet, at his office.

Question. How long since you left there?

Answer. Since he went out of office.

Question. Were you Mr. Genet's private clerk, or had you a position in his office?

Answer. His private clerk.

Question. Have you any regular profession, or trade, or occupation?

Answer. I am a butcher by trade.

Question. How long since you have worked at your trade?

Answer. I have not worked at it, sir, in eight or nine years.

Question. During these eight or nine years have you been a clerk in the county clerk's office?

Answer. I was a clerk in California. I have been pretty much round the globe in eight or nine years.

Question. You have no occupation now?

Answer. No, sir; I am out of employment now.

Question. Where were you born?

Answer. In Brooklyn, New York.

Question. When I asked you if you thought a vote a minute would be rapid, did you not say yes?

Answer. Yes, sir. I thought it would be rapid; I don't think it would be very rapid voting if you had nothing else to do except to take the registered votes; but, as a general thing, affidavits and all that takes time.

Re-examined by Mr. ANTHON:

Question. Are you sure of the order in which the tickets were canvassed that night?

Answer. Yes, sir.

Question. Are you sure the county ticket was not counted before the congressional?

Answer. I would not be certain.

Question. Who was your other canvasser?

Answer. Mr. Lyst.

Question. Did he and you agree in the appointment of Hargin?

Answer. Yes, sir.

Question. Did Mr. Hargin drink any that day?

Answer. Yes, sir.

Question. Once?

Answer. I think more than once.

Question. Mr. Connelly, did you tell Mr. Jenny he was a damned old fool?

Answer. I think I told him so; yes, sir.

Question. What other language?

Answer. Nothing more than that. I told him he was prolonging the voting by his cross-questions, and I told him he was a tedious old fool.

Question. You think that was your language?

Answer. I think it was.

Question. Mr. Hargin says that you called Jenny a "damned old fool," a "mean, lousy son of a bitch," and said that "he could not —— you in that way;" and he further says that Jenny had a ballot, and you said "you damned old fool, let me have that," and snatched it, and he took it away from you. Hargin also says that you said to Mr. Jenny, "kiss my ass" once or twice, and called him an "old son of a bitch." He also says that you put your finger up to your nose and said, "Do you think, you old fogy," (using the language stated before,) "that you are going to come it over me in that way?" He also says that you attempted to take hold of Jenny, and Jenny buttoned up his coat and said, "I may as well die in the defence of the ballot-box as anywhere else." Do you admit these statements to be true?

Answer. I deny it *in toto*.

Question. Did you take hold of Jenny at all?

Answer. No, sir.

Question. You did not think there was any necessity for him to die in defence of the ballot box?

Answer. No, sir.

Re-cross-examined by Mr. PHELPS:

Question. Are you sure that, being provoked at Jenny for being so slow, you did not use a little stronger expression than you have admitted?

Answer. No, sir, I did not use the language charged.

Question. Can you recollect the words you did use to him?

Answer. No, sir; they were very frivolous.

Question. Are you sure that you did not use the language sworn to by Hargin?

Answer. Mr. Jenny was a pretty old gentleman, and I respect old age.

Question. Are you sure that, supposing him to be timid, and you wanted to hurry him up, you did not put your hand on him or on his coat?

Answer. I am pretty sure I did not put my hand on him at all. There was no necessity for that. I knew the position I was in, and respected it too much to be guilty of any such action.

Question. Do not you remember threatening to throw him over the counter?

Answer. If I had been drinking I might have made a remark of that kind, but I did not drink that day.

Question. You say you are sure you did not drink?

Answer. I have no recollection of it at all.

Question. You say the worst expression was that he was a "tedious old fool?"

Answer. Yes, sir; I thought he was at the time.

JOHN CONNELLY.

Attest: GEORGE G. BARNARD,
Justice Supreme Court.

George McDonald sworn.

Examined by Mr. WATERBURY:

Question. Where do you live?

Answer. I reside at 105 East Twenty-ninth street.

Question. What district is that in?

Answer. Second election district, Twenty-first ward.

Question. How long have you resided in that place?

Answer. Lived in that house fifteen or sixteen years.

Question. Were you one of the inspectors of registry who made out a register for the last November election?

Answer. Yes, sir.

Question. Who were the other inspectors?

Answer. One man by the name of Thomas Riley, and I cannot recollect the other.

Question. Mr. Duncan?

Answer. Yes, sir.

Question. Were Mr. Duncan's politics republican or democratic?

Answer. I believe he was placed in that position by the republican party; so I was told.

Question. How was the registry made out?

Answer. We copied the book from the poll-list of the election before.

Question. At any time during the session of the board of registry did you go away and leave the clerk alone, without any inspector or register being present?

Answer. I don't think I went away at all, with the exception of once, without the clerk and some of the inspectors being there.

Question. Was the clerk left alone at any time?

Answer. Not once.

Question. Who was clerk?
Answer. Mr. Pickett.
Question. Was he appointed by the board and sworn in?
Answer. Yes, sir.
Question. Who was chairman of the board of registry?
Answer. I was.
Question. You swore Pickett in as clerk?
Answer. Yes, sir.
Question. How many days were you at the first session?
Answer. Three.
Question. Three or two?
Answer. We continued on the third day because we were not furnished with stationery on the first day.
Question. So you really were in session three days?
Answer. We were, sir; because when first organized I went after the book; I got no stationery, and had to go down again, and I was told to go to the police department to get the stationery.
Question. What do you mean by the book?
Answer. The poll-list of the previous election.
Question. At the conclusion of the first session of the board of registry was the register made out?
Answer. Yes, sir.
Question. Were copies made of it?
Answer. Yes, sir.
Question. What was done with them?
Answer. One of them was hung in the store where we held the registry.
Question. What was done with the other?
Answer. I left it, on the third day, down at the county clerk's office.
Question. At the second session of the board of registry how many days were you in session?
Answer. Two, I think.
Question. During the session of the board of registry did you register any name, or were any names included in the register, other than of persons whose names were on the poll-list of the previous year, or of persons who came up and gave their own names to be registered, or of persons whose names were handed in by other persons whom you knew to be citizens?
Answer. No, sir; not to my knowledge.
Question. None others were registered or included in the registry list?
Answer. No, sir.
Question. From your long residence in the district, I suppose you are well acquainted with the people?
Answer. I know a good many in the neighborhood.
Question. Was the name of any person included in that registry in regard to whom there was any circumstance whatever that led you to doubt that he was a qualified elector of that district?
Answer. No, sir.
Question. At the final conclusion of the registry were copies made out?
Answer. Yes, sir.
Question. Were they certified by the three registers?
Answer. They were.
Question. What was done with the copies?
Answer. After they were certified we went over to the commissioner on the Fourth avenue and he swore us in.
Question. What do you mean by that?
Answer. We had to go to a commissioner of deeds after we signed them to swear that they were correct.

Question. What was done with the copies afterward?

Answer. I kept one of them.

Question. What was done with the others?

Answer. I think Mr. Jenkins or Mr. Riley kept another; I kept the one I completed myself; I promised it to Mr. Walker, and I went around the morning of the election to let him have it, and I think he was a little late; I cannot remember whether I handed it to him or another gentleman.

Question. If you handed it to him, did he make any objections to receiving it?

Answer. I could not swear positively that I handed it to him.

Question. If you did, did he make any objections to receiving it?

Answer. No, sir.

Question. If you did not hand it to him, did he come to the polls before you left?

Answer. I think I met him at the door when I was going out; he was coming in.

Question. Did any conversation pass between you?

Answer. No, sir.

Question. What time was this?

Answer. At sunrise that morning.

Question. At the time set for opening the polls?

Answer. Yes, sir; the rest of the men were there waiting for him to come.

Question. Do you think Mr. Walker was a little late?

Answer. I think so.

Question. Did you hear Mr. Walker make any objections to the reception of that registry?

Answer. No, sir.

Question. You have occasion, I suppose, living in that neighborhood, to see and talk with a great many laboring men and poor people?

Answer. Yes, sir.

Question. Has there been in that neighborhood, during the past year, any apprehension on account of the draft?

Answer. There has been a good deal.

Question. People of the kind I have stated, laboring men and poor people, have a great dread of being drafted?

Answer. Yes, sir; certainly.

Question. Well, from the way you have heard people talk, do you think that a man in a military cap and vest, going around the district and inquiring of the people, and especially of the women, whether persons of such and such names lived there, would be apt to get correct answers or not?

Answer. I am under the impression that they would not get correct answers.

Question. Do you think that a woman living in a house, if a man came there in such a dress, would be apt to tell him that the persons for whom he inquired did or did not live at the house?

Answer. I think that he would not get a correct account.

Question. Has the population of that district increased?

Answer. It has, sir.

Question. What effect have the high prices of rents and the increase of population had upon the occupants of tenement houses in respect to living more crowded than formerly?

Answer. I think from the high rents they live more crowded than heretofore.

Question. People live more closely together?

Answer. Yes, sir; I know of houses myself occupied formerly by one tenant only, and for the last year there have been two tenants in them.

Question. How is it in regard to tenement houses that had a great many families?

Answer. I could name many that have increased in the number of families.

Question. Has the demand for apartments been so great that every place that could be obtained was taken?

Answer. I think so; I have remarked in the neighborhood that I never saw less bills up.

Cross-examined by Mr. PHELPS:

Question. In the district in which you live you are pretty well known?

Answer. Yes, sir; I have been living there twenty years.

Question. You are not unpopular?

Answer. Not that I know of.

Question. Suppose that two years ago you came back from the army and you retained all your military rig—your buttons, and old vest, and old military cap, and you should go among this people who knew you, to find out whether certain men were living there, and should tell them that you only wanted to know because there was a contest about an election; don't you think that notwithstanding you had on the old vest and cap you had worn two years ago, they would be likely to tell you the truth?

Answer. As far as the women are concerned I do not think I could have obtained the truth; I might in some cases where I was intimately acquainted with the men.

Question. But if even the women had known you usually wore this old vest, would it prevent you obtaining information?

Answer. I think it would; if a clergyman went to get correct information it would be the same.

Question. Even if the clergyman told them why he wanted it?

Answer. If he went in as a stranger and they did not know him, I do not think any man could get correct information of the women of what men lived in the house or regarding their names.

Question. Not if told that he was getting the names in regard to this contested election?

Answer. I don't know.

Question. During those three days of the registry you never left the clerk alone?

Answer. Not to my knowledge.

Question. Was some one of the registers always present with him?

Answer. Yes, sir.

Question. Did you register the names of any soldiers?

Answer. Yes, sir.

Question. Did you know these soldiers personally?

Answer. No, sir.

Question. How did you know that these soldiers ever resided in the district?

Answer. I took the statement of the men that vouched for them; there were only two men that came to register names in that way.

Question. Did you put them upon oath?

Answer. No, sir; I simply questioned them.

Question. Were objections made by a citizen or citizens present at the time?

Answer. There was one man who objected.

Question. What did he say?

Answer. He said he did not think it was right to register them.

Question. Are you sure that at the close of the first session you hung up the register in the room?

Answer. The very first book finished was hung up in the room; it was a back room, and there was a screen running before the door and we hung it upon the screen.

Question. What kind of a store?

Answer. A grocery store.

Question. Was it a liquor store?
Answer. There was no liquor in there.
Question. Did Mr. Walker send more than once for the copy of the registry?
Answer. He called once.
Question. Did he send?
Answer. I believe he did.
Question. How did it happen that you did not let him have it?
Answer. The clerk had it at the time, copying.
Question. Was this the copy that you had completed on the night of the last day of the session?
Answer. On the third night? It was.
Question. Then you do not remember, when Mr. Walker asked after it, telling him it was not written up yet?
Answer. One book was completed on the second day as far as copying the names.
Question. Then if any one appeared on the third day, his name could not have been entered?
Answer. Yes, sir.
Question. How was it completed?
Answer. So far as copying the poll-list of the year before?
Question. I meant the other.
Answer. O, no, sir.
Question. When was that completed?
Answer. On the night of the third day, I think it was.
Question. Then you do not remember when Mr. Walker sent the next morning for your copy, telling him that it was not written up yet?
Answer. I do.
Question. If it was completed on the third night, how could it be unwritten on the succeeding morning?
Answer. I do not know what time he called.
Question. But you recollect at the time he called it was not written up?
Answer. Yes, sir.
Question. Did you answer the truth?
Answer. I do not know what time he called; I think it was in the morning he called.
Question. When did you go to the commissioner of deeds and fill up the certificate at the end of the registry?
Answer. About 8 o'clock on the third evening, as near as I can recollect.
Question. Do you know whether or not you gave the book to Mr. Walker?
Answer. I could not positively swear; I do not think I gave it into his hand.
Question. Do you remember to whom you gave it?
Answer. I think I gave it either to Mr. Hagen or Birdsell; they were waiting for Mr. Walker to come in.

Re-examined by Mr. WATERBURY:

Question. Mr. McDonald, what is your age?
Answer. I believe I am fifty-two or three.
Question. I understand you own several houses in that neighborhood?
Answer. No, sir; I do not.
Question. One or two?
Answer. Yes, sir; they belong to my wife; I take charge of them; she owned them when I married her.
Question. If the person who went round in the military cap and vest had been known as a recent lounger in the district, and had been off previously a while in the army, and was in political opinion contrary to the general senti-

ments of the district, do you not think he would be very unlikely to get direct answers to his questions in regard to the residents of the houses?

Answer. I think he would.

GEORGE McDONALD.

Attest:

GEORGE G. BARNARD,
Justice Supreme Court.

Dennis Brennan sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. I reside at 188 East Twenty-first street.

Question. Were you one of the inspectors in the fifteenth district of the Eighteenth ward at the last November election?

Answer. Yes, sir.

Question. What is your business?

Answer. Carriage trimmer.

Question. Have you had any connexion with the church in that neighborhood?

Answer. Yes, sir; the Fourteenth street Roman Catholic church for a number of years.

Question. Is this fifteenth district included in the parish?

Answer. Yes, sir; it is in the rear of the church.

Question. From your position in that church have you not an extensive acquaintance in that district?

Answer. I know almost everybody in the district, except the Germans; almost all the Irish and American families in it.

Question. Who were the inspectors with you on the day of election?

Answer. I think Mr. Chase and Mr. Hall.

Question. What were their politics?

Answer. Chase and Hall were republicans.

Question. Did they take the management and control of the election?

Answer. Chase was chairman of the board.

Question. How was the voting in relation to rapidity?

Answer. Very slow, in consequence of Mr. Chase. In the morning the polls were not opened until ten minutes after the time, in consequence of waiting for Mr. Hall; Mr. Chase proposed to wait for Hall, and I remonstrated with him, and went on myself and opened the polls.

Question. Then, how did the voting proceed during the day?

Answer. Very slow, in consequence of the many questions asked by Mr. Chase, and a great deal of trouble he caused.

Question. Were any votes challenged that day?

Answer. Mr. Chase challenged many himself.

Question. Did Mr. Chase insist upon putting oaths and delaying such voters, notwithstanding he had no right by law to challenge any vote?

Answer. He did so.

Question. Were votes rejected that day by the inspectors?

Answer. Mr. Chase rejected a great many, in consequence of wrong numbers; the voters were willing to swear, if they had seen the original copy of the registry, their residences were put down right, but on the election day they were found to be wrong.

Question. And their votes were rejected?

Answer. Mr. Chase rejected those.

Question. How many votes were left out?

Answer. I should judge eighty votes, in consequence of wrong numbers.

Question. From your means of observation, what is your opinion in respect to whether the voters rejected were generally democrats or republicans?

Answer. They were democrats, sir.

Question. How was the election in respect to order?

Answer. Very quiet indeed.

Question. Was Mr. Chase or Mr. Hall in danger any time during the day?

Answer. No, sir; there was one part of the day, when some soldiers' votes came, that there was a great deal of talk, which consumed about twenty minutes for the first one; Mr. Chase wanted the law of Congress read in relation to votes; there was a crowd outside the polls, and they were opposed to his wasting time.

Question. There was dissatisfaction expressed?

Answer. Yes, sir; nothing more.

Question. How many soldiers' votes were taken during the day?

Answer. Not more than seven; Mr. Chase objected to take any of those votes, and, of course, that being brought to my knowledge, I hadn't much to say, but I wanted the votes received. They were received, but not placed on the poll-list; they remained on the table till the evening, when the canvassers came there. I was in the act of putting my coat on when I saw Chase going away with the registry book, and amongst them I saw him taking the soldiers' votes away; I remonstrated that they were the property of the canvassers, and that if the canvassers could not decide upon them, they were the property of the county canvassers; then he left the votes. I thought it was unusual conduct.

Question. The votes were received?

Answer. Yes, sir; but not placed on the poll-list.

Question. Were the names on the registry?

Answer. No, sir; some of them might have been.

Question. Were they brought there by persons who were known?

Answer. By property and house owners in the neighborhood.

Question. Was all the testimony that Mr. Chase required in regard to the residences of the soldiers in that district given?

Answer. It was, sir; but at the same time, he wanted more information as to the laws of Congress—so much so, that we thought we had better not have anything at all to do with him, as he was delaying the voting outside.

Question. That is the reason you did not press the matter?

Answer. Yes, sir; because I thought it would consume too much time.

Question. Were any policemen there during the day?

Answer. There were some there, sir.

Question. Was there any fighting in the poll-room?

Answer. None at all.

Question. When the polls closed, how many persons were there waiting to vote?

Answer. Between two hundred and three hundred.

Question. Were you acquainted with many of them?

Answer. I knew almost all the Irish and American voters in the neighborhood.

Question. You knew most of the people there?

Answer. I did.

Question. Were they residents?

Answer. I should have known them if I had met them in the street.

Question. Some of them property-holders?

Answer. Yes, sir; most of them.

Question. What are their politics?

Answer. Democratic.

Question. That district is overwhelmingly democratic, is it not?

Answer. Yes, sir.

Question. Have you served as inspector of election before?

Answer. I have, sir, for a number of years.

Question. Don't you think that if the election had been conducted with reasonable rapidity, the votes of all could have been taken?

Answer. Yes, sir; some six hundred votes that day could have been taken with reasonable rapidity.

Question. Do you know of any illegal votes being polled that day?

Answer. No, sir.

Question. You did not take an illegal vote?

Answer. No, sir; not a single one.

Question. Has the population in that district increased?

Answer. Yes, sir; I have known three families living in a bed-room, in the neighborhood.

Question. Have the high rents and the increased population in that part of the city caused a great demand for apartments?

Answer. It is impossible to find places in that neighborhood.

Question. Are the gas-works in that neighborhood?

Answer. At the foot of Fourteenth street.

Question. Can you state about how many men were employed in those gas-works?

Answer. I should judge all of five hundred; then there are ship-yards, stone-yards, and stage-stables in the neighborhood.

Question. At the last presidential election was there, or not, a great deal of excitement felt about the election?

Answer. Yes, sir; a great deal; in fact it brought out every man that was entitled to a vote.

Question. Are the people mostly poor?

Answer. Yes, sir; very poor, and outside you cannot form any idea of the people, unless you are intimately connected with them.

Question. Are they a class of people who read the newspapers?

Answer. Yes, sir; they are very intelligent.

Question. As you have peculiar opportunities for knowing the feelings, views and principles of the people in that district in regard to such matters, what do you think would be the result if a man in a military cap and vest went around that district to ascertain whether certain persons, whom he should name, lived in the particular places at which he made inquiry?

Answer. I don't think he could get any information. I think he would meet with abuse. I think Judge Waterbury himself, although he bears an honest name, if he should ask for any information of that kind, would find that it would not be a very pleasant job. They would have a suspicion of you. They are a class of people who ask to be let alone from military men, police officers, and from the "upper ten," also.

Question. Do you think any person, whatever, coming to these tenement houses and seeking information about the people living there, would get any information?

Answer. I think it would be a matter of impossibility. I have been connected with these people, and I find it difficult to obtain information that will even benefit themselves in a benevolent point of view.

Cross-examined by Mr. PHELPS:

Question. What is your connexion with the Roman Catholic church?

Answer. I am treasurer of the St. Vincent Paul Society, that relieves the poor in the whole parish.

Question. Are you one of the visitors who visit the poor?

Answer. Yes, sir; I have been for a number of years.

Question. You say you are a carriage trimmer by occupation?

Answer. Yes, sir.

Question. Does not the discharge of your duties as trimmer interfere with the duty of visiting the poor?

Answer. No, sir; they are made on evenings and Sundays; it is not pay work; our society does not pay visitors.

Question. You are not a clergyman?

Answer. No, sir; I will state, for the information of Mr. Phelps, that it is a secular society.

Question. How did you know that Chase and Hall were republicans?

Answer. I judge from the very appearance; I can almost tell a republican, especially of Chase's stripe; I considered him to be a very rank one on election day, because I have served with republicans on other occasions and found them to be just and generous, and Chase was an exception to the rule.

Question. If Chase was an exception to the principle by which you discover republicanism, how did you know he was a republican?

Answer. I thought he was what is called very lop-sided—taken away by his own side of the question.

Question. What did you think of Mr. Hall?

Answer. Not quite as extreme as Mr. Chase. I considered him a very respectable republican.

Question. Did you ask why Chase came in alone?

Answer. No, sir.

Question. You opened the polls alone?

Answer. Yes, sir.

Question. Was there any republican challenger present during the day?

Answer. Not that I know.

Question. Did anybody else challenge on the republican side except Mr. Chase?

Answer. The only one that I noticed that made objections was Mr. Chase.

Question. You are quite sure that Mr. Chase had no right to challenge, then?

Answer. I understand so, sir.

Question. Why do you think so?

Answer. The law states the duty of an inspector, and it does not enumerate challenging among his duties

Question. That is the only reason you have for thinking it contrary to law?

Answer. Yes, sir.

Question. It is your opinion that Mr. Chase should have allowed these parties to vote whose addresses were wrong upon the register?

Answer. No, sir, it is not; it is my opinion that they should vote when they are willing to swear they lived next door and were householders.

Question. Can you give me the name of a man whose name is on the registry with an incorrect residence?

Answer. I could give the name of a property-holder who owns a house on the next block, who on the day of election was willing to swear that he was registered properly, and when he came to the polls his residence was put down at a different number.

Question. What is his name?

Answer. John McNamee.

Question. How was the name on the registry?

Answer. It was his own name registered as living on the next block.

Question. Did Mr. McNamee vote?

Answer. He did.

Question. In your copy of the registry had Mr. McNamee a wrong number?

Answer. Mr. Chase held the only copy we had.

Question. Did you look on the registry?

Answer. I did, and found the number wrong.

Question. Did Mr. McNamee bring up a householder to swear him in?

Answer. I cannot say how the affair was managed. A man owning real estate not half a dozen houses from the polls should be treated differently.

Question. Were you not afraid any part of the day?

Answer. I am never afraid in the neighborhood at all.

Question. Then you were not overawed by the majority of the board being republicans?

Answer. I made up my mind to see how things would work and to take them with a good grace.

Question. Did Mr. Chase offer you any indignity?

Answer. Not as a personal matter, but I thought it was quite an indignity to be worried to death about the voting of my neighbors.

Question. You think Mr. Chase intended to delay the election?

Answer. Yes, sir.

Question. Why?

Answer. From his every action in keeping men so long and asking so many useless questions.

Question. What questions did he ask that were useless?

Answer. He would ask a man where he lived; he might answer 316 East Sixteenth street; Chase would ask a double question, Are you sure that you live there? I considered that yes and no were the only answers necessary.

Question. What other question did he ask that you considered superfluous?

Answer. He would beat around that way all day—that, and stating the laws of Congress in relation to soldiers voting.

Question. And all his questions referred to the qualifications of a voter?

Answer. It is supposed that when a voter is registered and swears his vote in, that he is entitled to vote.

Question. Did he refuse any such, unless their places of residence were given wrong?

Answer. He refused a great many.

Question. On what ground?

Answer. On the ground of an omission of names—Patrick instead of Patrick D., John instead of John D., or something of that kind.

Question. Unless their names were correctly on the register, he refused to let them vote?

Answer. Yes, sir. It is impossible for an outsider to come in that neighborhood and spell the names of every person correctly; there are a great many Germans there.

Question. Would you not think, in view of the high character for intelligence you have given this district, that they could spell their names themselves at the place of registry and get them straight?

Answer. They do not do that; it is the registry clerk that writes down the names; you merely go there and announce the name and residence.

Question. One would think they would spell their names, as you say they are so difficult.

Answer. A great many did, as I know.

Question. You say that the delay was so much noticed by the crowd that they expressed their dissatisfaction?

Answer. Yes, sir; they expressed it, and said that the soldiers had better leave and let the people vote.

Question. How many?

Answer. Half a dozen.

Question. Did you hear it?

Answer. Yes, sir, and Mr. Chase heard it.

Question. Did they use any threats?

Answer. None whatever.

Question. You think there are as many as five hundred men employed in the gas-works?

Answer. I cannot swear to the number employed there. I know that in the neighborhood we have a society that numbers seven hundred, a greater portion of whom work in that district, and I judge from that.

Question. Do they all sleep in the gas-works?

Answer. Sometimes they work off and on, and sometimes sleep there.

Question. Do they all live in this fifteenth district?

Answer. All of them. I will state, in relation to these gas-works, that some of the men are on in the day-time and some on in the night, and they must have residences.

Question. Do you know how many persons live in the district?

Answer. I suppose it is the largest district in the Eighteenth ward. Before the new district was made there used to be some fourteen hundred voters in that immediate neighborhood.

Question. You are confident that the new district has fourteen hundred voters?

Answer. No, sir.

Question. As many as a thousand?

Answer. I don't know but as many as eight hundred; but there would be many who could not get near the polls.

Question. How many blocks are there in this new fifteenth district?

Answer. From the north side of Fourteenth street to the south side of Sixteenth street, and from the east side of avenue A down to the East river.

Question. Do the gas-works take up much space?

Answer. Yes, sir; more than half a block.

Question. Does it take up a whole block?

Answer. I cannot say exactly as to the space.

Question. You say there are other factories in the district?

Answer. Extensive yards and other places; and these stone-yards have tenements in the rear occupied by families.

Question. Are there not stage-yards in the district?

Answer. No, sir; there is a stable.

Question. How much room does it take up?

Answer. About a couple of lots.

Question. You say that in the crowd waiting when the polls closed there were as many as two hundred householders; what do you mean by that?

Answer. Those who have apartments to live in.

Question. About how many of the four hundred persons who voted do you know?

Answer. Pretty much all except the German voters.

Question. Where were the polls held?

Answer. Near the corner of avenue B and Fifteenth street, in the stable.

Question. Was it at James Thompson's place?

Answer. Yes, sir.

Question. Do you know where the place of registry was?

Answer. I believe it was at Thompson's.

Question. Did you see advertisements of the place where the poll would be held?

Answer. I generally read the proceedings of the city council.

Re-examined by Mr. WATERBURY:

Question. Was the polling place in a stable in the rear of Thompson's lot?

Answer. I think on the rear of the lot, fronting on the avenue; Thompson's place fronts on avenue B, and it was somewhere near his property.

Question. Then the registry was made in a room of the house, and the polling place was in the rear, in a stable on the same lot?

Answer. Yes, sir.

Question. In regard to the bounds of that district, are you sure it is bounded on Sixteenth street?

Answer. No, sir.

Question. What streets bound it?

Answer. Avenue A. I am not very well posted, because it is a new district.

Question. What are the streets?

Answer. The streets are Fourteenth and Seventeenth.

Question. What would you think a fair estimate of the number of voters, on an average, in a tenement house in that district?

Answer. There is generally one in every family, the head of the family most generally.

Question. Take them on an average there?

Answer. I suppose between twenty and twenty-five.

Question. About how many tenement houses are there in that district in avenue B alone?

Answer. About fifty, say.

Question. Between Fourteenth and Seventeenth streets?

Answer. All of that number of houses.

Question. I understand you that the board of registry in that district only furnished the inspectors with one copy of the list?

Answer. Mr. Chase was the only one that had a copy.

Question. So that it was impossible for you to look over the list, and expedite him in finding names?

Answer. There was a German there who lived in the district, and he knew all the Germans there, and he went to the registry and kept a copy for his own individual use; he was there during the day helping the Germans who could not speak English, and occasionally he rendered other assistance.

Question. How did Mr. Chase find the names?

Answer. Very slowly, sir,

Question. He was chairman of the board, and kept the registry list also?

Answer. Yes, sir.

Question. Did he not by that one fact cause delay?

Answer. Yes, sir.

Question. He undertook to do both duties?

Answer. Yes, sir.

Question. As chairman it was his duty to distribute the ballots to the other inspectors?

Answer. Yes, sir.

Question. And in addition he undertook to find the names on the registry?

Answer. Yes, sir; I remonstrated against his doing both, but was overruled by the other inspectors.

Question. Did you ever know of a law by which a person could challenge at the poll in a district of which he was not a resident?

Answer. I have not heard of such a law.

Question. Did you know where Mr. Chase lived?

Answer. I did not, sir.

Question. Do you know whether Mr. Hull voted in that district?

Answer. I do not; I understood he left to vote in his own district.

Question. Did he say he voted in another district?

Answer. I understood he left to do so.

Question. In your experience as an inspector, have you found poll-clerks were or were not liable to make a great many mistakes in taking down names and residences of voters announced by the inspectors?

Answer. I have always made it a practice to sing out distinctly the name and residence a second time so as to help them along, because there is generally some excitement around these places.

Re-cross-examined by Mr. PHELPS:

Question. You do not think to call out the name and residence a second time distinctly would be a waste of time?

Answer. No, sir; but Mr. Chase was attending to the distribution of the ballots and also searching for the names.

Question. Did Mr. Chase refuse to let you look at the registry at any time?

Answer. Not exactly refuse, but I remonstrated with him, and told him he was doing too much duty.

Question. You say there has been an increase in the population in the district in your opinion, as there have been many houses built?

Answer. There have been a great many built.

DENNIS BRENNAN.

Attest: GEORGE G. BARNARD,
Justice Supreme Court.

EXHIBIT A.

Resolved, That the poll of the fifteenth election district of the Eighteenth ward be held at James Thompson's, No. 252 avenue B, until otherwise ordered by the common council.

Adopted by the board of councilmen September 29, 1864.

Adopted by the board of aldermen November 3, 1864.

Approved by the mayor November 3, 1864.

D. T. VALENTINE, *Clerk C. C.*

Exhibit A.

GEORGE G. BARNARD, *Justice, &c.*

EXHIBIT B.

AN ORDINANCE.

Be it ordained by the mayor, aldermen, and commonalty of the city of New York in common council convened:

The Eighteenth ward shall be divided into fifteen election districts, the extent and limits of which said election districts shall be as follows:

The first election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Fourteenth street, Sixth avenue, Eighteenth street, and Irving Place.

The second election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Eighteenth, Sixth avenue, Twenty-second street, and Irving Place.

The third election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twenty-second street, Sixth avenue, Twenty-sixth street, and Lexington avenue.

The fourth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Fourteenth street, and Irving Place, Sventeenth street and Second avenue.

The fifth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Seventeenth street, Irving Place, Twentieth street, and Second avenue.

The sixth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twentieth street, Gramercy park, Lexington avenue, Twenty-third street, and Second avenue.

The seventh election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twenty-third street, Lexington avenue, Twenty-sixth street, and Second avenue.

The eighth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Fourteenth street, Second avenue, Seventeenth street, and First avenue.

The ninth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Seventeenth street, Second avenue, Twentieth street, and First avenue.

The tenth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twentieth street, Second avenue, Twenty-third street, and First avenue.

The eleventh election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twenty-third street, Second avenue, Twenty-sixth street, and First avenue.

The twelfth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Fourteenth street, First avenue, Seventeenth street, and avenue A,

The thirteenth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Seventeenth street, First avenue, Twentieth street, and East river.

The fourteenth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twentieth street, First avenue, Twenty-sixth street, and East river.

The fifteenth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Fourteenth street, avenue A, Seventeenth street, and East river.

Adopted by the board of councilmen June 30, 1864.

Adopted by the board of aldermen July 14, 1864.

Approved by the mayor July 15, 1864.

D. T. VALENTINE, *Clerk C. C.*

Exhibit B.

GEORGE G. BARNARD, *Justice, &c.*

In the matter of William E. Dodge against James Brooks.—Contested election.

To the honorable the House of Representatives:

I, Abraham D. Russel, city judge of the city of New York, before whom the annexed testimony was taken, residing, at the time of taking said testimony and the doing of the acts hereinafter mentioned, in the eighth congressional district of the State of New York, do hereby certify that, upon the application of the said James Brooks, a writ of subpœna was issued by a judge of a court of record residing within the eighth congressional district, directed to all such witnesses as were named by him, requiring the attendance of such witnesses before me at a day and place fixed therein, in order to be then and there examined respecting the said contested election. That the said James Brooks, ten days before the day appointed for the examination of the witnesses, gave notice in writing to the said William E. Dodge of his intention to examine witnesses, which notice contained a statement of the time and place of the proposed examination, the name of the officer who would conduct the same, and the names of the witnesses and their places of residence. That the witnesses, whose deposi

tions are hereto annexed, attended in obedience to said subpœna, or voluntarily, at said time and place, and were examined on oath by me touching all such matters and things respecting the said election as were proposed by the parties aforesaid, or either of them, or by their or either of their agents or attorneys; and the testimony of the witnesses, together with the questions proposed by the said parties or their agents or attorneys, I caused to be reduced to writing in my presence, and in the presence of the said parties and their attorneys, and to be duly attested by the witnesses, respectively.

That the said examination was commenced on the twenty-fourth day of March, 1865, and was continued, by regular adjournment from time to time, until the third day of April, 1865, when the same was concluded; and that the schedules annexed contain the said testimony, and the whole thereof.

A. D. RUSSEL,
City Judge of the City of New York.

Testimony for Mr. Brooks taken before Hon. A. D. Russel, city judge of the city of New York. Mr. Waterbury and Mr. Anthon for Mr. Brooks, and Mr. Phelps for Mr. Dodge.

FRIDAY MORNING, *March* 24, 1865.

WILLIAM E. DODGE *agt.* JAMES BROOKS.

James Fallon sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 196 West Thirty-seventh street.

Question. What election officer were you, if any, at the last November election?

Answer. Chairman of the board of inspectors in the eleventh district, Twentieth ward.

Question. Do you remember about how many votes were polled there?

Answer. Couldn't tell you; I know it was over seven hundred.

Question. Who did the board of inspectors consist of?

Answer. Me, Mr. Waters, and Mr. Hall.

Question. What are Mr. Hall's politics?

Answer. Republican.

Question. What are Mr. Waters's?

Answer. He professed to be a democrat.

Question. Were there a number of republican politicians there during the day?

Answer. Yes, sir.

Question. Mr. John V. Gridley; was he there?

Answer. Yes, sir; several times.

Question. What part of the day was he there?

Answer. At the opening and closing of the poll, and through the day. He lives there; that is where he votes.

Question. Were the republican party well represented there in watching that election?

Answer. Yes, sir.

Question. Did they have all the opportunity of challenging they wanted?

Answer. All, sir.

Question. Was it easy or difficult to poll the number of votes that you did in the time you polled them?

The sixth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twentieth street, Gramercy park, Lexington avenue, Twenty-third street, and Second avenue.

The seventh election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twenty-third street, Lexington avenue, Twenty-sixth street, and Second avenue.

The eighth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Fourteenth street, Second avenue, Seventeenth street, and First avenue.

The ninth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Seventeenth street, Second avenue, Twentieth street, and First avenue.

The tenth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twentieth street, Second avenue, Twenty-third street, and First avenue.

The eleventh election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twenty-third street, Second avenue, Twenty-sixth street, and First avenue.

The twelfth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Fourteenth street, First avenue, Seventeenth street, and avenue A,

The thirteenth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Seventeenth street, First avenue, Twentieth street, and East river.

The fourteenth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Twentieth street, First avenue, Twenty-sixth street, and East river.

The fifteenth election district of the Eighteenth ward shall contain all that part of the city bounded by and lying within Fourteenth street, avenue A, Seventeenth street, and East river.

Adopted by the board of councilmen June 30, 1864.

Adopted by the board of aldermen July 14, 1864.

Approved by the mayor July 15, 1864.

D. T. VALENTINE, *Clerk C. C.*

Exhibit B.

GEORGE G. BARNARD, *Justice, &c.*

In the matter of William E. Dodge against James Brooks.—Contested election.

To the honorable the House of Representatives:

I, Abraham D. Russel, city judge of the city of New York, before whom the annexed testimony was taken, residing, at the time of taking said testimony and the doing of the acts hereinafter mentioned, in the eighth congressional district of the State of New York, do hereby certify that, upon the application of the said James Brooks, a writ of subpœna was issued by a judge of a court of record residing within the eighth congressional district, directed to all such witnesses as were named by him, requiring the attendance of such witnesses before me at a day and place fixed therein, in order to be then and there examined respecting the said contested election. That the said James Brooks, ten days before the day appointed for the examination of the witnesses, gave notice in writing to the said William E. Dodge of his intention to examine witnesses, which notice contained a statement of the time and place of the proposed examination, the name of the officer who would conduct the same, and the names of the witnesses and their places of residence. That the witnesses, whose deposi

tions are hereto annexed, attended in obedience to said subpœna, or voluntarily, at said time and place, and were examined on oath by me touching all such matters and things respecting the said election as were proposed by the parties aforesaid, or either of them, or by their or either of their agents or attorneys; and the testimony of the witnesses, together with the questions proposed by the said parties or their agents or attorneys, I caused to be reduced to writing in my presence, and in the presence of the said parties and their attorneys, and to be duly attested by the witnesses, respectively.

That the said examination was commenced on the twenty-fourth day of March, 1865, and was continued, by regular adjournment from time to time, until the third day of April, 1865, when the same was concluded; and that the schedules annexed contain the said testimony, and the whole thereof.

A. D. RUSSEL,
City Judge of the City of New York.

Testimony for Mr. Brooks taken before Hon. A. D. Russel, city judge of the city of New York, Mr. Waterbury and Mr. Anthon for Mr. Brooks, and Mr. Phelps for Mr. Dodge.

FRIDAY MORNING, *March* 24, 1865.

WILLIAM E. DODGE *agt.* JAMES BROOKS.

James Fallon sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 196 West Thirty-seventh street.

Question. What election officer were you, if any, at the last November election?

Answer. Chairman of the board of inspectors in the eleventh district, Twentieth ward.

Question. Do you remember about how many votes were polled there?

Answer. Couldn't tell you; I know it was over seven hundred.

Question. Who did the board of inspectors consist of?

Answer. Me, Mr. Waters, and Mr. Hall.

Question. What are Mr. Hall's politics?

Answer. Republican.

Question. What are Mr. Waters's?

Answer. He professed to be a democrat.

Question. Were there a number of republican politicians there during the day?

Answer. Yes, sir.

Question. Mr. John V. Gridley; was he there?

Answer. Yes, sir; several times.

Question. What part of the day was he there?

Answer. At the opening and closing of the poll, and through the day. He lives there; that is where he votes.

Question. Were the republican party well represented there in watching that election?

Answer. Yes, sir.

Question. Did they have all the opportunity of challenging they wanted?

Answer. All, sir.

Question. Was it easy or difficult to poll the number of votes that you did in the time you polled them?

Answer. We had time enough, and time to spare; we were through polling over half an hour before the polls closed; we could have polled several more votes if it had been required.

Question. There was no difficulty in polling the number of votes you did poll, and allowing a full opportunity to challenge?

Answer. No difficulty.

Cross-examined by Mr. PHELPS:

Question. How many voters do you think were challenged during the day?

Answer. Couldn't say.

Question. About how many?

Answer. Very few.

Question. As many as twenty challenged?

Answer. I should not think there was; they were all registered.

Question. How many would you think voted by affidavits?

Answer. I believe there were over fifty; I know I signed them all, and sent them down to the county clerk's office.

Question. During the day was there no discussion between the inspectors—no difference of opinion as to the conduct at the polls?

Answer. No, sir; we were all unanimous.

Question. No time was wasted, then, in any discussion?

Answer. No, sir.

Question. Nearly all the voters were on the register?

Answer. Yes, sir; over eleven hundred names were enrolled in that district?

Question. Is it not generally a disorderly district?

Answer. No, sir; it never has been; I have been inspector there since 1862, every year, at all the elections.

Question. Has there never been any fight or disturbance since 1862?

Answer. No, sir; not at that poll.

Question. What are your politics, Mr. Fallon?

Answer. Democratic.

Question. You are sure Mr. Hall was republican?

Answer. I am not sure; I knew it from Supervisor Stewart that he was appointed.

JAMES FALLON.

Attest: A. D. RUSSEL, *City Judge.*

Patrick McMullen sworn.

Examined by Mr. WATERBURY:

Question. Were you one of the inspectors of election of the second district Twenty-first ward, at the last November election?

Answer. Yes, sir.

Question. Chairman of the board?

Answer. Yes, sir.

Question. What time did you arrive at the poll in the morning?

Answer. About ten minutes before sunrise. When the poll opened I had been around there, I should think, a half hour or some three-quarters of an hour; about half an hour before Mr. Walker arrived.

Question. Did Mr. Walker have a copy of the register that day?

Answer. Yes, sir.

Question. Did he check it?

Answer. Yes, sir.

Question. Did you hear him make any objection whatever to the manner in

which the register was made out; I am not speaking as to particular names; but did you hear him make any objection to the register as a whole, to its not being certified?

Answer. On the morning of election?

Question. Yes, sir.

Answer. No, sir.

Question. Did you hear Mr. Walker make any protest whatever during the day?

Answer. Yes, sir.

Question. What?

Answer. He made a protest—one that I remember most distinctly of anything that happened during the day; it was between one and two o'clock in the afternoon. I had been to dinner, and on my return I found there was a discussion about receiving soldiers' votes. Walker did not wish to receive them. My colleague was willing to receive them. Of course they did nothing until I arrived. I inquired and found the votes duly registered, and according to a copy of instructions I decided to receive them immediately.

Question. Then, the name of the voter in each instance was upon the register list?

Answer. Yes, sir.

Question. Then the name of the voter in each of these cases of soldiers' votes was upon the register?

Answer. Yes, sir; checked by Mr. Walker and Mr. Gehegan.

Question. On what ground did Walker object to the votes?

Answer. From the fact that the person presenting them was not a householder in the district.

Question. Who was the party presenting them?

Answer. Charles W. Baker.

Question. What do you say was the total number of those votes to which he objected?

Answer. I think it was ten or eleven, to the best of my belief.

Question. Where does Mr. Baker reside?

Answer. On Madison avenue, between Thirty-third and Thirty-fourth streets.

Question. In the same assembly district and congressional district in which that poll was held?

Answer. Yes, sir; I had no reason to think anything to the contrary.

Question. And in the same ward?

Answer. Yes, sir.

Question. Did Mr. Walker object to those soldiers' votes on any other ground except that Mr. Baker was not a resident of that election district?

Answer. That was the ground, as I understood, of his objection.

Question. Do you remember whether any person was with Mr. Baker when he presented those votes?

Answer. I don't recollect.

Question. Did Mr. Walker make any other objection during that day that he did not finally waive and acquiesce in the decision made by the board?

Answer. I don't recollect of any specific objection; he made a little grumble from time to time through the day, but nothing of any consequence that I recollect now.

Question. You know Mr. Birdsall?

Answer. Yes, sir.

Question. What part did he take at that poll?

Answer. He assisted me from time to time in checking off the poll-list, and likewise filled up blanks in regard to persons who were not registered, and in one case he went after some blanks.

Question. What oaths did he administer during the day?

Answer. To parties who were not registered.

Question. To the parties themselves?

Answer. Yes, sir; he administered some oaths to parties themselves who were not registered?

Question. Have you any knowledge or information of any illegal vote polled there that day?

Answer. Not to my knowledge.

Question. Was the election conducted fairly, peaceably, and honestly, in all respects?

Answer. Fairly, peaceably, quietly, and honestly.

Cross-examined by Mr. PHELPS:

Question. Did you see Mr. Walker when the register was presented to him in the morning?

Answer. No, sir.

Question. Do you know who gave him the register?

Answer. No, sir.

Question. Do you remember when the register was given to him?

Answer. No, I do not.

Question. Do you know who brought the register to him?

Answer. No, sir.

Question. Do you know Mr. Birdsall's politics?

Answer. No, sir; I suppose them to be democratic.

Question. Did you not hear him in the poll-room urge parties to vote for the democratic candidates?

Answer. No, sir; I heard him on one occasion urge parties to vote for a republican.

Question. Do you know for what reason he urged this party to vote for a republican?

Answer. That he was a friend of his, Judge Stewart.

Question. Do you know what republican candidate?

Answer. Olando L. Stewart.

Question. When a citizen came up whose name was not upon the register, you required him always to bring a householder, did you not, to swear to him?

Answer. Yes, sir.

Question. Did Mr. Birdsall administer the oath to the householder?

Answer. I don't recollect of his having done anything of the kind.

Question. Do you remember Mr. Birdsall making inquiries of the party coming up to vote, questioning as to his qualifications?

Answer. That was done by an inspector; he administered the general oath to the parties, and we questioned him on some occasions. The oath was administered and they were questioned by inspectors.

Question. Do you know who else brought soldiers' votes except Mr. Baker?

Answer. That is the only case I recollect, and that only on account of the dispute.

Question. Do you say how many Mr. Baker brought?

Answer. About ten or eleven; there might have been only nine or ten.

Question. Were they received?

Answer. They were received.

Question. What became of them subsequently?

Answer. Deposited in the ballot-boxes.

Question. The accompanying documents, what became of them?

Answer. Placed on file.

Question. You mean you put them with your return to go to the county clerk's office?

Answer. And they were left with the canvassers.

Question. Did you look at the affidavits accompanying the soldiers' votes?
Answer. No, sir.
Question. Do you know before whom the soldiers were sworn?
Answer. No, sir.
Question. Did Mr. Walker say anything to you with reference to the fact that they were not sworn before an officer of sufficiently high grade?
Answer. No, sir.
Question. Did Mr. Walker give as a reason why he did not wish to receive these soldiers' votes, that they had been registered without their personal appearance?
Answer. No, sir; the only reason that I recollect was that they were presented by a person who was not a householder of the district, the election district.

PATRICK McMULLEN.

Attest: A. D. RUSSEL.

Adjourned till March 30, 1865, at 9. a. m.

THURSDAY MORNING, *March* 30, 1865.

William E. Frost sworn.

Examined by Mr. ANTHON:

Question. Mr. Frost, you made some inquiries on the day of the election with regard to the returns, did you not?
Answer. Yes, sir; on that day and afterwards.
Question. State what those inquiries were.
Answer I went to the police headquarters and got their returns, and copied them from their returns there.
Question. When was that?
Answer. On the night of the election, and the next morning I got the copy of the returns.
Question. What other return did you copy?
Answer. I was in the board of supervisors at the time of the canvass of this district, and took copies of the returns made in there.
Question. Did you make written memoranda of those returns?
Answer. I did.
Question. Have you them?
Answer. Yes, sir.
Question. Produce them, if you please.
Answer These are the police returns.
Question. How did the police returns and the official canvass compare?
Answer. I think there was a difference of four.
Question. Do you remember in whose favor that difference was?
Answer. The first time I went to the police headquarters they said it was four in favor of Mr. Brooks.
Question. And the official return?
Answer. I took no copies at that time; I only saw what they had there; afterwards, when I looked over them, I found one hundred and forty-eight in favor of Mr. Brooks.
Question. You said there was a difference of four?
Answer. They said in the first place that Mr. Brooks had a majority of four. I did not take any copy then; and afterwards, when there again, took a copy, and the majority was one hundred and forty-eight.
Question. How did the police returns correspond with the official canvass, as made by the board of supervisors?

Answer. I think there was only a difference of about three; there were several discrepancies in the districts, but the aggregate was about three.

Question. Do you know in whose favor that difference of three was?

Answer. In favor of Mr. Brooks.

Question. Which return gave Mr. Brooks three more?

Answer. The full return of the board of supervisors.

Question. So that the police return was less than the official canvass by the board of supervisors?

Answer. Yes, sir.

Question. Describe what these police returns are.

Answer. They are made up in form there.

Question. How were they made?

Answer. Each district separately.

Question. When are they made, and how is the material for them obtained?

Answer. I don't know; the printed forms are there and they are filled up at headquarters.

Question. At what time do they obtain them, and by what means?

Answer By telegraph from the different precincts to the police headquarters, immediately after the votes are counted.

Question. As soon as the district canvass is completed, the result is announced by telegraph to the police headquarters?

Answer. Yes, sir.

Question. And the returns are made up there?

Answer. Yes, sir; in forms or tables which they have, and which are open for inspection.

Question. Do you remember when those returns of the congressional election were completed at the police headquarters?

Answer. About one o'clock the day after the election.

Cross-examined by Mr. PHELPS:

Question. Where is your residence?

Answer. 72 East Forty-first street.

Question. What is your occupation?

Answer. I am secretary of an oil company.

Question. You went on the evening of election day to the Metropolitan police headquarters?

Answer. Yes, sir.

Question. What time in the evening was it?

Answer. Somewhere between seven and eleven o'clock.

Question. How happened you to go down there?

Answer. I went as a matter of interest for myself more than anything else.

Question. You went at no one's request?

Answer. No, sir.

Question. How long did you stay there?

Answer. I suppose three-quarters of an hour. The returns were coming in from all quarters, and a great many people were there to hear the returns.

Question. As the returns are received are they announced?

Answer. Yes, sir, called out.

Question. Who calls them out?

Answer. A policeman.

Question. Does he announce them to parties in the room, or to officials in the department?

Answer. To every one present.

Question. Were the memoranda which you have produced made that night or the next morning?

Answer. At 1 o'clock the next day. The districts came in very irregularly, and they could not make up the total that night.

Question. On the night of the election did you go there earlier than 1 o'clock?

Answer. The day after election I went up there, and got there about 1 o'clock. I stayed there, perhaps, an hour and a half.

Question. How did you get the returns there?

Answer. I asked Mr. Acton to let me see them, and I copied them from his forms or tables?

Question. You are quite sure that your copy is an accurate one from the paper he handed you?

Answer. Yes, sir, positive.

Question. By the copy returns which you took from Mr. Acton's original had Mr. Brooks a majority of four?

Answer. A majority of one hundred and forty-eight. The first time I went there the police officer said Mr. Brooks was elected by four. That was merely a verbal announcement.

Question. That was the same morning, the 9th of November, about 1 o'clock?

Answer. Yes, sir; I asked the privilege of looking at the returns when I first went in, and Mr. Acton spoke to some officer in the room and told him to let me have them. I sat at the table and copied them.

Question. Then how did you obtain that information of four majority?

Answer. I think it was obtained in the hall as I went in.

Question. And the subsequent return of Mr. Acton showed a majority of one hundred and forty-eight?

Answer. Yes, sir.

Question. Do you know why Mr. Brooks's counsel did not obtain these figures from the police department instead of from you?

Answer. I don't know anything about them; I have not seen Mr. Anthon for six months until to-day.

Question. These returns you say came on the night of the election to the chief officer of the police department by telegraph?

Answer. As the operator in each station gets the returns he promulgates them for the benefit of those present.

Question. My inquiry is as to the method in which Mr. Acton gets these returns.

Answer. They come by telegraph to headquarters.

Question. Do you know whether it is customary for a telegraph operator to be seated at each polling place?

Answer. In each station-house.

Question. You said they came from the polling place to Mr. Acton?

Answer. They came to the headquarters of the police department.

Question. You said they came from the polling place?

Answer. They come to the headquarters from each police precinct by telegraph, are received at the precinct from the polling places by officers sent there for that purpose, because I have seen policemen take the returns, and they go to the station-house to report.

Question. Do you know what officer takes the returns from the polling places?

Answer. Don't know.

Question. As far as you know, the information would get to Mr. Acton by two removes—the officer who would carry it to the precinct, and the telegraph operator who would send it to Mr. Acton.

Answer. Yes, sir.

Question. At 1 o'clock that day Mr. Acton stated that the returns were complete?

Answer. I asked him to see the returns for the eighth congressional district,

and he said he believed they were all in, and he went into the room where the operator was at work and told him to allow me the privilege of copying them. He handed the complete list to me, and I took an exact copy of it.

Re-examined by Mr. ANTHON:

Question. In what form were those returns when you copied them?

Answer. On sheets of long ruled paper, with each candidate's name at the head of a column.

Question. Do you know what has become of those returns which Mr. Acton showed to you?

Answer. No, sir.

Question. They were merely the transcripts of telegraphic despatches?

Answer. That is all.

Question. They form no record?

Answer. I don't know what they did with them; they were very careful to have me give them back.

The counsel for Mr. Brooks puts in evidence papers marked as Exhibits Nos. 1, 2, and 3.

WILLIAM E. FROST.

Attest: A. D. RUSSEL, *City Judge.*

Alonzo A. Renton sworn.

Examined by Mr. ANTHON:

Question. What position did you hold at the November election in reference to receiving or counting of votes?

Answer. I was poll-clerk of the third election district of the Twenty-first ward.

Question. Did you act as such during the canvass of votes in that district?

Answer. Yes, sir.

Question. Was the canvass made in your presence?

Answer. Yes, sir.

Question. Was that canvass correctly made?

Answer. To my best belief it was.

Question. Was a certificate of the canvass made out and signed?

Answer. There was one; the certificate of the canvass.

Question. Was there a return?

Answer. There was; I sent a return to the police commissioners of every vote filled in a blank form, signed by me as poll-clerk; the policeman took it to the station-house, and then it was sent down to the headquarters.

Question. When the canvass was completed was it certified?

Answer. Yes, sir, by the canvassers and the two poll-clerks.

Question. They all signed it?

Answer. Yes, sir.

Question. That was verified according to law?

Answer. Yes, sir.

Question. Who were the canvassers in that district?

Answer. Charles Heizman, Jeremiah Mahoney, and Patrick Fitz Simons.

Question. Did you keep a tally of the canvass?

Answer. I did so, and sent it, as required by law, to the board of supervisors; I sent it to the county clerk and to the board of supervisors.

Question. How did your return to the police office and your tally sent with the certificate of the canvass correspond?

Answer. They were all correct, and all corresponded.

Question. Did you find the tally that you made at the end of the canvass when you were prepared to leave the polling place?

Answer. I kept two tallies; one for myself, and one I sent, as I always do, to the board of supervisors, and one tally I found was missing.

Question. Which one?

Answer. The first one—my original one.

Question. Did you ever hear what became of it.

Answer. No, sir; I did not hear, but I found it in the possession of another man.

Question. Tell me what you know with regard to that missing tally.

Answer. I called on Mr. Heizman on a little business about some jewelry, and asked him about the election. I asked him if he saw the tally, and he did not give me much satisfaction. He pulled out three or four different papers from his pocket, and among them I recognized my tally, and asked him where he got it, and he told me from Mr. Walker.

Question. Gideon L. Walker, the one examined as a witness in this case?

Answer. Yes, sir; I have since seen Mr. Walker in the street about it, but he gave me no satisfaction; somebody got it away from me; how it was got away I cannot tell.

Question. What did you do when you saw it in the possession of Mr. Heizman?

Answer. I took it away.

Question. Were that canvass and the returns, and all of the official proceedings, so far as you know, correct, and honest, and regular?

Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. Where do you live?

Answer. One hundred and twelve East Fortieth street.

Question. Are you a resident of the third district?

Answer. Of the eighth district.

Question. By whom were you appointed poll clerk?

Answer. By the police commissioners.

Question. Was there more than one poll clerk appointed for the district?

Answer. Yes, sir; another poll clerk besides me.

Question. Are the appointments made in view of the political preferences of the poll clerks appointed?

Answer. It is always considered that there is to be one democrat and one republican; they are equally divided.

Question. Who was the other poll clerk?

Answer. I don't know; he was a stranger to me.

Question. Was he appointed as a republican or a democrat?

Answer. As a republican, I suppose.

Question. Do you know whether he was a resident of the district or not?

Answer. Don't know.

Question. Did you send a return, at the end of the canvassing of each ticket, to the police department?

Answer. I did.

Question. Can you recollect the order in which the various tickets were canvassed that night?

Answer. No, sir.

Question. Do you know which ticket was canvassed last?

Answer. No, sir.

Question. Do you know which ticket was canvassed first?

Answer. No, sir.

Question. You have no recollection of the order in which they were canvassed?

Answer. No, sir. They were canvassed correctly, as far as I saw or knew, but I don't know the order.

Question. You said you lost your original tally: about what time in the night did you lose it?

Answer. I lost it after I had left Mr. Fitzsimons's.

Question. Did you return to look?

Answer. I did, sir.

Question. What time did you leave his place?

Answer. At half past four in the morning. I don't know whether I returned or not.

Question. You don't know whether you made any search for it?

Answer. I did the next day, but don't know whether I did that night.

Question Did you return that morning after you left at half past four?

Answer. You mean the morning after the election?

Question. Yes, sir.

Answer. I am not sure. I went to sleep about half past four in the morning; went back about half past two the same day.

Question. When you left the place of canvass who was in the room?

Answer. We all left together.

Question. Who left with you?

Answer. I cannot tell you.

Question. But no one was left in the place of canvass when you left?

Answer. I don't know; the canvassers and the two clerks all left together except Mr. Fitzsimons, the proprietor of the house.

Question. Who remained behind?

Answer. I suppose he did.

Question. Who else was in the room during the night, except those connected with the canvass?

Answer. Anybody who chose to be there. It was a public canvass, and any citizen of the ward had a right to go there. I suppose there were two or three hundred men in there during the canvass.

Question. In by the table?

Answer. Nobody was allowed by the table.

Question. Did nobody come to the table that night, except the canvassers and the poll clerks?

Answer. I did not notice that; all I did was to take the numbers as they were given me. I was not watching anybody.

Question. You are unwilling to swear that there was no one else in there except the poll clerks and the canvassers?

Answer. I don't know that anybody came in there, but, at the same time, I did not watch anybody; there were policemen there guarding this place and keeping the men back. I know of two or three cases where citizens were pushed outside as they were trying to get in there; nobody was trying to get near the table.

Question. If nobody was anxious to get by the table, why were those citizens pushed out for trying to get in?

Answer. The room is very small, and they were pushed out because it was so crowded.

Question. Did you see any one take the poll list in his hands except these officers?

Answer. No, sir.

Question. No one else took the poll lists while you were there?

Answer. Not as I saw.

Question. The poll lists during this canvass had nothing to do with it?

Answer. Of course they had; I had one, and the other clerk the other.
Question. It is in evidence that they were taken by other parties?
Answer. The poll list I had nobody took.
Question. You are sure no one took your poll list?
Answer. Yes, sir.
Question. You are sure the tally you found in Mr. Heizman's possession was yours?
Answer Certainly.
Question. Mr. Heizman was one of the canvassers?
Answer. He was; chairman of the canvassers.
Question. It would not be particularly wrong, in finding this tally to return it to the board of supervisors?
Answer. It would not be particularly wrong.
Question. You are sure it was in your pocket?
Answer. Yes, sir.
Question. Do you know who took it?
Answer. Don't know.
Question. Was Mr. Walker there?
Answer. Yes, sir; snooking around, as usual.
Question. Was he there at half past four o'clock, when you left?
Answer. I am not sure he was there.
Question. Have you any reason for supposing that Mr. Walker took it from your pocket?
Answer. I suppose he would not take anything out of his reach.
Question. Have you any reason for supposing Mr. Walker took it?
Answer. I mean to say, if Mr. Walker got a chance, he would take it; I have a suspicion.
Question. Why do you think he would take it?
Answer. I should think he was a man capable of taking anything.
Question. Has Mr. Walker ever been convicted of robbery?
Answer. Not to my knowledge.
Question. Did you ever know him to be convicted of robbery?
Answer. No, sir.
Question. Then, why do you suppose that Mr. Walker would steal?
Answer. I should think, as it was found in his possession, that was good evidence.
Question. What reason have you to suppose that Mr. Walker had it?
Answer. I did not say that Mr Walker stole it.
Question. You don't mean to say, then, that he would steal it?
Answer. I suppose he would, if he got a chance.
Question. Why do you suppose he would steal it?
Answer. I suppose it would be to his interest to do so, to put me to a little trouble.
Question. Because it would be for his interest?
Answer. Yes, sir.
Question. Is that your only reason?
Answer. Yes, sir.
Question. What good would it do Mr. Walker?
Answer. Don't know; he seemed to be very much interested in the election; he was about and around there, examining everything; I had to tell him once or twice to keep his hands off of things through the day.
Question. Did you see Mr. Walker do anything illegal?
Answer. No, sir; if I had I would have had him arrested.
Question. Then you did not see him do anything illegal?
Answer. No, sir; I watched him very closely.
Question. Had you known Mr. Walker before?

Answer. No, sir; I had heard of him.

Question. Was Mr. Walker an inspector?

Answer. I believe he was, in the second district; but I don't think he attended to his business, as he was at the third many times.

Question. How many times was he there?

Answer. Could not tell.

Question. How much time altogether?

Answer. Could not tell you.

Question. Three hours altogether?

Answer. No, sir.

Question. One hour?

Answer. Could not tell you; every once in a while I would lift my head from my work and I would see Mr. Walker.

Question. How many times did you see him?

Answer. Eight or ten times.

Question. What distance of time from each glance did you see him?

Answer. Sometimes shorter, sometimes longer.

Question. Then you are unwilling to give any approximate limit to the times you saw Mr. Walker there?

Answer. Could not tell; I was very busy.

Question. You are willing to swear he was there half an hour between sunrise and sunset?

Answer. No, sir,

Question. Are you willing to swear he was there a quarter of an hour?

Answer. No, sir.

Question. Was he not there at dinner time, when he looked in for five minutes?

Answer. I am willing to swear that at dinner time he was there as long as five minutes.

Question. Was it ten minutes?

Answer. I am almost sure it was.

Question. Was it fifteen?

Answer. Could not tell you.

Question. Did Mr. Heizman refuse to give you the tally?

Answer. I did not give him a chance; I took it out of his hands.

Question. Did he make any resistance?

Answer. No, sir; it was mine, and belonged to me.

Question. Am I to understand from your statement that you are willing to swear that Mr. Walker was there ten times during the day?

Answer. Eight or ten times; I could not tell you the time; I might have been mistaken in his face.

Question. Had you any particular liking for Mr. Walker?

Answer. Yes, sir; I always respect age.

Question. That is your only reason for respecting him, because he is old?

Answer. I have no particular animosity against the man at all.

Question. Do you know whether, at the time the canvassers signed the returns, they were finished complete?

Answer. My set was complete; I don't know about the other set.

Question. How were the canvassers: were they wide awake?

Answer. Yes, sir.

Question. Was Mr. Heizman efficient?

Answer. Certainly; he had to be.

Question. Did you see Mr. Heizman fall asleep in the morning?

Answer. Yes, sir.

Question. Then, although he had to be efficient as chairman, he was not during the time he was sleeping?

Answer. He slept about two minutes.
Question. What was he doing at the time he fell asleep?
Answer. Could not tell you.
Question. What ticket were they canvassing when he fell asleep?
Answer. Could not tell you.
Question. Did any other canvasser fall asleep?
Answer. Could not tell you.
Question. Did Mr. Fitz Simmons fall asleep?
Answer. Don't know.

Re-examined by Mr. ANTHON:

Question. Were there two democratic canvassers?
Answer. Yes, sir.
Question. And they elected the only republican as chairman?
Answer. Yes, sir; I have been a poll-clerk four or five times, and I never saw it done in my life before—two democrats electing a republican chairman.
Question. Do you know from what place Mr. Walker came to the city of New York?
Answer. I understood that he came from the Old Capitol prison.
Question. I mean where he lived before he came to New York?
Answer. No, sir.
Question. Do you know what his reputation is?
Answer. Don't know anything about him, only that he is a man snooking around and making himself busy about everybody else's business.
Question. He has the reputation of a busybody?
Answer. He is one, *de facto*.

Re-cross-examined by Mr. PHELPS:

Question. How many persons have you heard speak of Mr. Walker?
Answer. A great many.
Question. Give me the name of one.
Answer. I could not give you the name of one.
Question. Can you give me the name of any one who said he is a busybody?
Answer. I say he is a busybody myself, for he shows it.
Question. Can you give me the name of any one else who calls him a busybody?
Answer. I heard Mr. Heizman say he was a "damned old fool;" that is your own inspector.
Question. Did you hear Mr. Heizman say that he was a busybody?
Answer. He said he was an old fogy.
Question. Do you know if during the day he found fault with Mr. Heizman for acting in the interest of the democratic party who had so honored him?
Answer. No, sir; for I think the democratic party did Mr. Heizman quite a favor when they made him chairman.
Question. Didn't Mr. Walker find fault with Mr. Heizman?
Answer. I guess not; he did not have much to say around there.
Question. I understood you to say that Mr. Walker was a busybody?
Answer. Yes, sir.
Question. You never saw Mr. Walker before that day?
Answer. Yes, sir; on the avenue I have seen him with his daughter very often.
Question. Where?
Answer. Once or twice taking her in coming from and going to school on rainy days.
Question. Do you know him personally?
Answer. Only by reputation.
Question. How long by reputation?

Answer. I suppose a year.

Question. You cannot give me the name of a single party from whom you derived this impression of his general reputation, except that Mr. Heizman called him an old fogy?

Answer. He called him a "damned old fool" or "old fogy," or "damned old skunk," or something of that kind.

Question. Can you recollect any one else who gave you the impression of his general reputation?

Answer. That is the general talk; can't mention or name who.

Re-examined by Mr. ANTHON:

Question. Did Mr. Heizman act in the interest of the democratic party that day?

Answer. No; he did all he could for his friend, Mr. Dodge.

Re-cross-examined by Mr. PHELPS:

Question. What do you do for occupation?

Answer. I am not doing anything.

Question. What is your occupation when you have something to do?

Answer. I am conductor on the cars.

Question. How long since you left the cars?

Answer. I can't say that I am a conductor on the cars; I have been employed down on the enrolment board lately.

Question. Were you ever a conductor on the cars?

Answer. Yes, sir.

Question. On what road?

Answer. Georgetown and Washington road.

Question. How long since you left that road?

Answer. Last winter.

Question. What time last winter?

Answer. I could not tell; I was only there for a while, till I got something else to do.

Question. What had you been doing before that?

Answer. I was in the army, sir.

Question. Why did you leave the army?

Answer. I got sick of it.

Question. If a party has enlisted, can he get away on the ground of being sick of it?

Answer. It was physical disability; I got a discharge for that.

Question. How long in the army?

Answer. About eight months.

Question. In what capacity?

Answer. Private.

Question. In what regiment?

Answer. Tenth National Zouaves.

Question. You have no occupation now?

Answer. At present, no, sir.

Question. How long since you left the enrolling board?

Answer. Since it was closed up; I was among the last kept on.

Question. What enrolling board was it?

Answer. For the correction of the enrolment; in Duane street, a branch of Mr. Blunt's office in the park.

A. A. RENTON.

Attest: A. D. RUSSEL, *City Judge.*

William E. Dodge sworn.

Examined by Mr. ANTHON:

Question. You are the contestant in this case?

Answer. Yes, sir.

Question. When were you nominated as a candidate for Congress?

Answer. Can't tell you the exact time; it was in the early part of the month of October; I was in Massachusetts at the time.

Question. What other republican nomination was there?

Answer. Mr. Manniere.

Question. When did Mr. Manniere withdraw?

Answer. I think about four or five days before the election; I did not charge my mind with it.

Question. Do you know what arrangements of any kind—pecuniary, political, or otherwise—were made with Mr. Manniere to induce him to withdraw?

Answer. I am not aware of any.

Question. Have you ever heard of any?

Answer. I never have.

Question. When did you first learn of the payment of money to Mr. Barr by your friends?

Answer. A few days after the election.

Question. From whom?

Answer. Colonel Cannon.

Question. What conversation did you have before that time with Mr. Phelps in regard to the payment of money to Mr. Barr?

Answer. None at all, sir, that I remember; he was very anxious himself that something should be done to keep Mr. Barr in the field.

Question. He was very anxious?

Answer. Yes, sir.

Question. Was he anxious also to secure that object by paying a portion of Mr. Barr's expenses?

Answer. I don't remember that he mentioned that, sir; but he was very anxious to know if there was any kind of probability of Mr. Barr's withdrawing; it was very essential that he should be kept on the track.

Question. What sums of money do you know of Mr. Barr receiving from republican sources?

Answer. I only know of what I heard the other night.

Question. That is, of the two thousand dollars?

Answer. I don't know of any other.

Question. Have you made any inquiries in reference to the payments of moneys to Mr. Barr?

Answer. I have not.

Question. Can you tell me what amount of money you disbursed for your election purposes?

Answer. I can't possibly; I did not spend half as much as I expected I should from what I heard; it was all new to me.

Question. Can you give me any figures, within a thousand dollars?

Answer. My impression, from the best data I can get at, is that it was somewhere from four to five thousand dollars in all.

Question. Is that independent of the contributions of your friends?

Answer. Yes, sir.

Question. Give me your best impression as to what amount of money was raised by your friends for your election purposes?

Answer. I think I have it exactly, (unfolding a paper;) there is an envelope I marked during election times, and kept it ever since; it is the only memoranda; it is marked "Subscriptions for election in 1864, and Sherwood's ac-

counts." The amount of money that was raised was three thousand four hundred dollars.

Question. Was that the total amount?

Answer. All that I ever heard of; I presume it is all that ever was raised.

Question. In that four to five thousand dollars of which you speak, do you include the payments made by you to ward committees in the different wards?

Answer. Yes, sir.

Question. What did you pay to the general committees?

Answer. I don't think I paid anything; I have no recollection of it; I might have done so; I most always, every year, give them a thousand dollars; I might possibly have done it; I don't remember.

Question. You would not say one way or the other?

Answer. I may have done so; if they called upon me I certainly did.

Question. Do you know how much money the general committee appropriated for the eighth congressional district?

Answer. I don't know; I never heard that they appropriated a dollar; they might have done so, but I know nothing of it.

Question. Does this sum of four or five thousand dollars include all your expenses in the election?

Answer. Everything that I know of excepting these last matters.

Question. Does it include your printing bill also?

Answer. Yes, sir.

Question. What was the amount of your printing bill?

Answer. Two thousand and eight dollars.

Question. When was your last payment to Mr. Cannon on account of the election?

Answer. I didn't pay anything to Mr. Cannon except on election day.

Question. How much was that?

Answer. Five thousand dollars. He returned me, after election, I think, three hundred and sixty dollars.

Question. For what purpose was that?

Answer. I don't know; it was some expenses for carriages—for hack-hire; he said he might want it in the course of the day.

Question. When was your last payment to Mr. Cowden?

Answer. I have not the date; but my impression is that it was some three or four weeks after election.

Question. And the amount?

Answer. It was exactly two thousand dollars.

Question. Was any statement made at that time for what purpose that two thousand dollars was?

Answer. He wrote me that he had a bill to pay, and that Mr. Cannon had stated that funds had been put in my hands.

Question. Do you know whether that two thousand dollars was for any special purpose?

Answer. I have heard since it was to pay Mr. Barr.

Question. Did you know that at the time?

Answer. I suspected it, but didn't know it.

Question. What has been the expenses of this contest so far?

Answer. I don't know; I have not paid anything except a very few dollars; Mr. Phelps has paid something; I have not paid anything.

Question. You don't know what the amount is you will have to pay?

Answer. No, sir, I don't know anything about it; the great proportion of it will be for the stenographer and the judge.

Question. You know the building where we have been recently taking testimony?

Answer. Yes, sir.

Question. What is the number in Thirty-first street?

Answer. It is one hundred and twenty-five feet from the corner of Third avenue.

Question. What are the rooms up stairs used for?

Answer. It is a large room used for a Sunday school and for a church.

Question. And the smaller one?

Answer. Used for an infant class, connected with the Sunday school.

Question. How long have you known Mr. Gehegan?

Answer. I saw him first on Monday previous.

Question. Where?

Answer. In the mission-room, where we had our place for taking testimony.

Question. That was the first time?

Answer. Yes, sir.

Question. Who did he have with him?

Answer. Two men; their names I forget.

Question. The two men who swore they had been voting half a dozen times for Mr. Brooks?

Answer. Yes, sir; they voted twice.

Question. Where else did you see this Gehegan?

Answer. The evening before that testimony, at my house.

Question. How long an interview did you have at your house?

Answer. Just before I came to the meeting; I think about five minutes.

Question. You have no other acquaintance with him?

Answer. None at all.

Question. From what you know of his appearance and manner, what should you suppose his character to be?

Answer. I should consider him a desperate politician—unscrupulous and desperate.

Question. Should you not consider him a desperate scoundrel?

Answer. I know nothing of him except what I heard that night.

Question. Should you not consider him an infamous scoundrel?

Answer. I think he had made up his mind to open the depths of election frauds, and I think he did do it.

Question. If he had to testify in a matter in which you were not interested, would you not regard him as a desperate scoundrel?

Answer. From what I saw of the man, I should think he was an unscrupulous and desperate politician.

Question. What do you think of his moral character?

Answer. For a man who keeps two grog-shops, I should not consider that the sign of the highest respectability.

Question. Apart from his keeping two grog-shops, do you think a man who states on his oath that he has procured the registration of a hundred voters, and told a lie on each occasion that he registered a vote, is a man of pure moral character?

Answer. Yes, sir, I think he has sunk to the position from his connexion with politics.

Question. Do you think a man who has been several times arrested, once for shooting a man—who has been arrested several times for assault and battery; who has been guilty of the offence of falsely registering about one hundred voters; of bringing up persons representing dead men to vote; and who testifies to all that, and further testifies that he is induced to do it from the fact of Mr. Brooks not giving him money—do you think that such a man is a man of good reputation and character?

Answer. Your question is too long; you begin by saying that he has been arrested for shooting a man; if he had been arrested for shooting another man, and

been convicted, and you put that together with the other part; altogether, I should have to answer in the negative, no doubt.

Question. Do you remember the examination of Mr. Wade, that deaf man?

Answer. I do.

Question. What was his condition as to sobriety that day?

Answer. My own impression is, that he had been drinking some, but his extreme deafness made him worse than he otherwise would have been.

Question. From his appearance, from the smell of his breath and person, and his manner, should you not consider him a person of grossly disgusting, intemperate habits?

Answer. He appeared to have been drinking; what his previous habits were I cannot tell.

Question. Have you any memoranda as to the purposes of the expenditure during the election?

Answer. I have not, but can give you the main ones: My first expenditure was fifteen hundred dollars—Mr. Cannon to send five hundred dollars to each of the districts.

Question. That is, to the ward committees?

Answer. To the three ward committees.

Question. Well, what else?

Answer. The next and largest expenditure was a printing bill, which was two thousand and eight dollars, and the balance was made up by the gas bill, for fitting up headquarters, clerk hire there, and payment for some flags and banners.

Question. And the two thousand dollars that went to Mr. Barr?

Answer. I had nothing to do with it. I had one thousand eight hundred and forty-two dollars and thirty cents in my hands, belonging to the fund raised when Mr Cowdin sent to me, to which I added one hundred and fifty-seven dollars and seventy cents of my own, and sent the two thousand dollars to him.

Question. You kept no memoranda of the special purposes for which money was spent.

Answer. I did what I have been in the habit of doing for thirty years—I made no entries.

Question. Are there any entries or memoranda that will show the special purposes for which the special sums were paid?

Answer. No, sir; I looked for them, but have everything here that I have.

Question. Will your check-book show anything?

Answer. No, sir.

Question. There is another matter mentioned in our notice, (although it is rather prying into your private affairs:) What business arrangements are you interested in which may or may not be affected by the action of this Congress to which you claim to be elected?

Answer. Nothing that I know of.

Question. What is the general nature of your business?

Answer. The importation of metals, the manufacture of copper, wire and brass.

Question. Are you interested in any contracts in relation to copper?

Answer. Not a dollar; and have not had one since the war commenced, or any other contract of any kind.

Question. You are not, directly or indirectly, interested in any?

Answer. No, sir; a mill in which I am interested as a stockholder has for two years furnished one of the arsenals with a peculiar kind of copper which they manufactured previous to the war, and have continued to manufacture since, but I never had a contract for it in any way.

Question. Is your firm interested?

Answer. The firm has no interest, and I have none except the one case mentioned, which is not a contract, but simply furnishing the article upon orders.

Question. What is the amount of that contract?

Answer. I have no knowledge; I suppose several thousand dollars a year; it is a small amount; it is for one of the arsenals; don't know which one.

Question. What mill is that?

Answer. The Ansonia copper mill, in Derby, Connecticut.

Question. At or near Derby?

Answer. In the town of Derby.

Question. What interests have you in coal that may be affected by legislation or Congress?

Answer. I am a stockholder in a coal company.

Question. What company?

Answer. The Delaware, Lackawanna and Western.

Question. Has that company any contract?

Answer. No, sir; they have not been in the "ring" for coal.

Question. You are interested in the iron business?

Answer. Yes, sir.

Question. Are you interested in any contract for that article?

Answer. No, sir, not a dollar.

Question. Are you a stockholder in a company dealing in iron?

Answer. I am only a stockholder in an iron company.

Question. What is the name of the iron company?

Answer. It is called the Lackawanna Iron Company, for the manufacture of railroad iron.

Question. Has that company a government contract?

Answer. Not a dollar, and never had.

Question. Have you any objections to stating the amount of your interest in these different matters?

Answer. It is very large. I have a great deal of property invested in various ways; it is large in all.

Question. Are you a chief stockholder?

Answer. No, sir; there are many others very much larger than myself. I keep a little in different things around.

Question. Did Colonel Foster advise the contest in this matter?

Answer. Certainly; I understood he did.

Question. Did you ever have any conversation with him?

Answer. My son did; I never did; my son knows him personally.

Question. Do you know of any sums being disbursed in your favor at the election by Mr. Phelps, or by your sons?

Answer. One of my sons fitted out a four-horse car for a procession.

Question. There were no special sums contributed by them?

Answer. No, sir.

Question. Who have been chiefly active in getting up the testimony in this case?

Answer. Mr. Phelps.

Question. You have left it entirely to him?

Answer. Yes, sir, as I left my election to most of my friends. If I had attended to it myself I should have done better.

The counsel for Mr. Brooks puts in evidence papers marked as Exhibits Nos. 4 and 5.

Cross-examined by Mr. PHELPS:

Question. Did you hear Mr. Gehegan say that although he was arrested, he was not convicted?

Answer. I did.

Question. We have heard the legal maxim that assumes a man is innocent unless proved to be guilty; in circles other than legal, is it not generally thought

that the fact that a man is charged with crime does not prove he committed the crime?

Answer. I have always understood it so.

Question. Then to that money towards Mr. Barr's expenses you contributed nothing until after election, and then only one hundred and fifty-seven dollars and seventy cents?

Answer. That is all.

Question. You positively and clearly have no interest, and your firm has no interest, in any contract whatever, nor have had during the war?

Answer. Being senior partner, I have instructed the firm that under no circumstances would we have any contract with the government. I would give what money I could, but be concerned in no contract whatever.

Question. You have no interest in the companies you have mentioned, except as a stockholder to a large amount?

Answer. None else.

WM. E. DODGE.

Attest:

A. D. RUSSEL, *City Judge.*

Adjourned till 7½ p. m.

THURSDAY EVENING, *March* 30, 1865.

Patrick Kearney sworn.

Examined by Mr. WATERBURY:

Question. At the time of the last presidential election, did you live at 287 East Fourteenth street?

Answer. At 287 East Fourteenth street.

Question. Did you vote in the fifteenth district, Eighteenth ward, at that election?

Answer. Yes, sir.

Question. Do you know Peter Lannegan?

Answer. Yes, sir.

Question. Did he at the time of the last election live at 289 East Fourteenth street?

Answer. Something about it; I cannot tell exactly.

Question. On the same side of Fourteenth street?

Answer. Not on my side; opposite where I live.

Cross-examined by Mr. PHELPS:

Question. Do you know, if Peter Lannegan had lived at 289 East Fourteenth street, in what district he could vote?

Answer. If he lived at 289 East Fourteenth street, and 289 had been in the district, he would be entitled to vote on the Fifteenth street corner.

Question. Is No. 289 in the district?

Answer. No, I think not.

Question. If this man Lannegan lives where you suppose he may, that would be out of the district, would it not?

Answer. I would not say positively so, because it would be out if he gave the proper number.

Question. Your impression is he lives on the opposite side?

Answer. On the opposite side, without doubt.

Question. And he lived on the opposite side at the time of the election, if he lived there at all?

Answer. Yes, sir.

Question Did any persons vote from 287 East Fourteenth street who lived in your house, and who were entitled to vote on the 8th of November, besides yourself?

Answer. I cannot exactly say if there were any in my house at the State election, unless one man by the name of Ray.

Question. Did Patrick Hart live in it on the 8th of November?

Answer. Not to my knowledge.

Question. If he had lived there, would you have known it?

Answer. If he had lived there, I would have known it, for I have lived there five years.

Question. It appears from the poll-list that Patrick Hart voted from your house?

Answer. There is no man by the name of Patrick Hart there for the last five years.

Question. Thomas Hughes voted from your house?

Answer. He did not, sir. There is no such man as Thomas Hughes there. He may be on the opposite side. None such in my house.

Question. Then neither Thomas Hughes nor Patrick Hart had a right to vote from your house?

Answer. No, sir.

Re-examined by Mr. WATERBURY:

Question. What is the name of the person who might have voted from your house?

Answer. There might be a man by the name of Ray.

Question. What is his first name?

Answer. Henry Ray; he is the only man that could vote from my house.

PATRICK KEARNEY.

Attest: A. D. RUSSEL, *City Judge.*

James McLarney sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 249 East Fifteenth street.

Mr. Phelps objects to the witness because his name is misspelled, being McCarnard in the notice. Mr. Waterbury offers to prove by the oaths of Jas. McLarney, sr., James McLarney, jr., and Thomas McLarney, that they are now, and were at the time of the election, residents at 249 East Fifteenth street, in the fifteenth district, Eighteenth ward, and that they voted in that district at the last election.

The judge rules that, in consequence of not giving the name James McLarney in the notice required by law, the evidence cannot be received.

John C. Lyst sworn.

Examined by Mr. WATERBURY:

Question. Were you one of the canvassers of the thirteenth district, Eighteenth ward, at the last election in November?

Answer. Yes, sir.

Question. Were you present at the election in that district during the day?

Answer. No, sir.

Question. At no time?

Answer. No time.

Question. At what time did you arrive at the poll of that district?

Answer. A little after the polls were closed in the tenth district I came down to the thirteenth.

Question. How many of the canvassers were present?

Answer. Only two.

Question. Which two?

Answer. Myself and Mr. John Connelly.

Question. Was the vacancy filled; and if so, in what manner?

Answer. By Mr. Connelly and myself selecting one of the inspectors to serve in the absence of one of the canvassers.

Question. Who did you select?

Answer. We selected Mr. John R. Hargin.

Question. Do you remember the order in which you canvassed the several boxes?

Answer. I can't say which box we took up first; I think it was President first, and the next, I think, was State or Congress; I am not sure; I cannot tell which.

Question. Did you make that canvass according to law?

Answer. We did, sir, as far as I know.

Question. Did you see or were you cognizant of any fraud whatever being practiced in the canvass or return of the votes in that district?

Answer. Not to my knowledge.

Question. Do you remember of there being any double tickets in the Congress box?

Answer. I did not see any.

Question. Did Mr. Hargin have a full opportunity to observe everything in the canvass of those votes, and make any objection that he desired?

Answer. I think he had, sir, every opportunity.

Question. If he made any objection at any time was it duly considered and passed upon in accordance, as you believed, with the law?

Answer. Yes, sir; we had no disagreement at all in the canvass.

Question. No disagreement whatever?

Answer. Not any.

Question. Were the returns made out and then signed by the three canvassers?

Answer. They were; I don't know whether they were made out or not; I know the printed forms were signed; whether before or after they were filled in, I cannot tell.

Question. By whom were they signed?

Answer. By the three of us.

Question. Were the proclamations required by law of the result of the canvass announcing how many votes were polled for each candidate?

Answer. Yes, sir, every time, and the result given to the police and taken to the station-house.

Question. What time in the morning was it when you finished the canvass?

Answer. About six o'clock, when I left there.

Question. How long was that after the canvass was finished?

Answer. I think it was not very long; I can't tell exactly how long.

Question. Was Mr. Hargin there until the canvass was finished?

Answer. Yes, sir; I spoke to him at the door when we parted.

Question. Did he leave at the same time you did?

Answer. Yes, sir.

Question. Do you remember who was the proprietor of the house at which the polls were held?

Answer. Mr. O'Connor.

Question. Did anything take place between Mr. Hargin and Mr. O'Connor

in relation to advancing the amount of Mr. Hargin's bill for services as inspector or canvasser; and if so, what?

Answer. We all came out after we got through, and came to Mr. O'Connor and tendered our bills to him to cash at a discount.

Question. Is that the general practice?

Answer. I never was a member of the board of canvassers before; they told me that it was.

Question. The general practice is for the landlord to take all the bills and collect the money?

Answer. He did it, at all events.

Question. What was said in relation to Mr. Hargin?

Answer. Mr. O'Connor would not cash his bill; he told him he owed him some money, and would settle during the day, if I recollect right.

Question. What is Mr. O'Connor's business?

Answer. He keeps a liquor store.

Question. What did Mr. Hargin say when Mr. O'Connor said he owed him a small bill?

Answer. He did not say anything in particular.

Question. Then I understand you that Mr. O'Connor cashed the other bills, and refused to cash Mr. Hargin's?

Answer. Yes, sir; I think so.

Question. What was the condition of affairs in the room in which the canvass was made in respect to order and peace?

Answer. It was as good order as could be in that place. There was a little talking outside.

Question. Among the crowd?

Answer. Yes, sir; there were three policemen there.

Question. Did you see any fighting or violence?

Answer. No, sir.

Question. Was there anything that you saw take place there that would be likely to intimidate or cower Mr. Hargin in the performance of his duty as canvasser?

Answer. No, sir; not when a policeman was at his side, and there were three or four of them in that place.

Question. Did any person other than the three canvassers you have named handle the votes that were canvassed, or take any part in the counting of them?

Answer. No, sir, not a man.

Question. Did you see Mr. William Baird, or Nicholas Cowan, and one or two others there?

Answer. Yes, sir.

Question. Were they there before the votes were entirely counted?

Answer. The votes were counted and in the box and sealed up when they came there.

Cross-examined by Mr. PHELPS:

Question. Were you inspector, or had you any office in the tenth district connected with the polling of votes?

Answer. No, sir; it is the district I live in.

Question You say that when you came to the thirteenth district, Eighteenth ward, yourself and Mr. Connelly were the only two canvassers present appointed by the board of supervisors?

Answer. Yes, sir.

Question. Do you know whether Mr. Hargin was sworn in or not?

Answer. Yes, sir, by Mr. Connelly.

Question. Do you know if he was sworn in by any supervisor or not?

Answer. I do, sir; I know he was not.

Question. Can you recollect what ticket you canvassed last?
Answer. I can't tell.
Question. You cannot recollect what ticket you canvassed last?
Answer. I cannot, sir.
Question. You are not sure you canvassed the votes for President first?
Answer. I think we did; can't say positive.
Question. You say you saw no double tickets?
Answer. Not to my knowledge.
Question. Did you hear no discussion about double tickets?
Answer. I did not, sir.
Question. If you were told that Mr. Connelly and Hargin both gave testimony that there were double tickets, would you not think there might have been occurrences there which, in the discharge of your individual duties, you did not notice?
Answer. There might have been, but I did not see them.
Question. What time in the morning was it that the returns were signed by you three gentlemen?
Answer. One or two o'clock in the morning; I don't exactly know.
Question. How much of the canvass was done when they were signed?
Answer. All over, sir.
Question. Did the tallies agree at the time you signed the returns?
Answer. I could not tell positively.
Question. What remained to be done of the canvass when you signed the returns?
Answer. Nothing, as far as the canvass was concerned.
Question. What I want to know is, whether the book and tallies corresponded at the time you signed the returns?
Answer. Could not tell.
Question. Do you not remember that these returns were in blank when you signed them?
Answer. Could not tell; I think they were full; they all signed them, and I signed them.
Question. You think the canvass was not finished long before you left?
Answer. We did not leave before that.
Question. Did you keep a tally?
Answer. No, sir.
Question. Do you know who did keep tallies?
Answer. The clerks did.
Question. Did you see Connelly keep any tally?
Answer. I did not, sir.
Question. Did you see Hargin keep any?
Answer. I did not, sir.
Question. What time in the evening was it when William Baird and Nicholas Cowan came in?
Answer. It was not in the evening, but in the morning at two or three o'clock, along there, or four o'clock; I can't say positive.
Question. Did you see either of them take the poll-list?
Answer. I saw them looking at the book, but do not know what they did with it.
Question. Did anybody else, except Baird and Cowan, come in?
Answer. Cowan was not in, as I know of; Baird and Owens were there.
Question. Did Mr. Owens come in with Mr. Baird?
Answer. I think they came in together.
Question. Do you know whether Baird goes with the democratic party?
Answer. I believe he does.

Question. Do you know whether there was any trouble in making the tallies, poll-lists, and the number of votes correspond?

Answer. I don't know; I did not take much notice of them; when the counting of votes was over my duty was done.

Question. Then of what took place subsequently to that—the making up of returns, and the correspondence between the tallies and the number of votes on the poll-lists—you know but little?

Answer. I did not pay much attention to them.

Question. Do you feel pretty sure that Mr. Owens and Mr. Baird were the only two?

Answer. There might have been another one.

Question. In the testimony of either Mr. Hargin or Connelly he speaks of some man in shirt-sleeves; do you remember any man in shirt-sleeves coming in there?

Answer. No, sir.

Question. Did you gentlemen have any liquor there that night?

Answer. Hargin had several bumpers.

Question. Did Mr. Connelly have any?

Answer. I believe I saw him drink sarsaparilla; I had a glass of ale myself.

Question. Where did this liquor come from that Hargin and you got?

Answer. Can't say, sir.

Question. Did you buy it?

Answer. It came to us.

Question. Did you pay any money for it?

Answer. Not a cent.

Question. Did Hargin pay anything?

Answer. No, sir; I did not see him.

Question. Don't you know the liquor came from the premises?

Answer. I did not, at the time.

Question. Who gave the order for the liquor?

Answer. Could not tell you.

Question. Who gave it to you?

Answer. Mr. Hargin gave the order.

Question. Who did he give it to?

Answer. To some one outside.

Question. Was it not to some one connected with the proprietor of the place?

Answer. Don't think it was; to some outsider.

Question. This was the first time you acted as canvasser?

Answer. Yes, sir; and I hope it will be the last.

J. C. LYST.

Attest: A. D. RUSSEL, *City Judge.*

James McLarney recalled.

Examined by Mr. WATERBURY:

Question. Where do you live?

Answer. 249 East Fifteenth street.

Question. Did you live there at the time of the last presidential election?

Answer. Yes, sir.

Question. Have you any sons; and if so, what are their names?

Answer. Two; Thomas and James.

Question. Where do they live?

Answer. In the same house.

Question. Did they live there at the time of the last presidential election?

Answer. They did, sir.
Question. Did you vote?
Answer. Yes, sir.
Question. Did they vote?
Answer. I did not see them, but they generally do.
Question. Are they voters?
Answer. Yes, sir; entitled to vote.

Cross-examined by Mr. PHELPS:

Question. Do you know any woman by the name of Mary Miner that lives in your house?
Answer. Yes, sir.
Question. Is she the landlady of the premises?
Answer. No, sir.
Question. What is she?
Answer. A tenant there.
Question. A married woman?
Answer. No, sir.
Question. How long have you lived at 249?
Answer. A great many years; I suppose over ten years.
Question. What is your occupation?
Answer. Cartman
Question. Your son James, what does he do?
Answer. He is a clerk in a dry-goods store.
Question. Whose dry-goods store?
Answer. Arnold, Constable & Co.
Question. Does he sleep at home at nights?
Answer. Yes, sir.
Question. Thomas McLarney, what does he do?
Answer. He works at harness-making.
Question. Does he sleep at home at nights?
Answer. Yes, sir.
Question. You don't remember your two boys saying that they voted on that day?
Answer. Don't know anything about it; I understood they voted.

JAMES McLARNEY.

Attest: A. D. RUSSEL, *City Judge.*

John McCormick sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?
Answer. 301 East Fourteenth street,
Question. Where did you reside at the time of the last State election?
Answer. 299 East Fourteenth street.
Question. Did you vote at that election?
Answer. I did, sir.
Question. Do you know Mr. Matty Blum?
Answer. Yes, sir.
Question. Where does he reside?
Answer. 299 East Fourteenth street.
Question. Do you know Mr. Patrick Hart?
Answer. I think it is the man I have reference to, a stage-driver; I know him.

Question. Where does he live now?
Answer. He lived in Fourteenth street at the time of the election, where the stables are now being built.
Question. On the north side of Fourteenth street?
Answer. Yes, sir.
Question. In this district?
Answer. Yes, sir.
Question. Do you know him well?
Answer. Yes, sir, for years.
Question. What is his business?
Answer. Stage-driving.
Question. Is he well known in this district?
Answer. Yes, sir.
Question. Do you know Mr. James Gibney?
Answer. Yes, sir.
Question. Where does he reside?
Answer. 303 East Fourteenth street.
Question. Is he a voter?
Answer. I presume he is; I have known him eight or nine years.
Question. Do you know Mr. Waizman?
Answer. Yes, sir.
Question. Do you know Mr. Bernard Dalton?
Answer. Yes, sir, in the stables down there.
Question. In what street?
Answer. Fifteenth street.
Question. Between what avenues?
Answer. Between avenues A and B.
Question. Is he well known?
Answer. I should think every man around this neighborhood knows him well.
Question. Do you know Joseph Alcorn?
Answer. Yes, sir.
Question. Is he a voter?
Answer. I am almost sure he voted.
Question. He lives at 249 East Fifteenth street?
Answer. Yes, sir, he boards there.
Question. Do you know William Britton?
Answer. Yes, sir; he lives in this district.
Question. Does he vote in this district?
Answer. Yes, sir, he did vote.
Question. Do you know Philip McDermott?
Answer. Yes, sir.
Question. Where does he live?
Answer. In Fifteenth street?
Question. Is he a well-known resident in this district?
Answer. Yes, sir, very well known indeed.
Question. Did you vote at the last presidential election?
Answer. I did, sir.

Cross-examined by Mr. PHELPS:

Question. Do you know of any John McCormack that lives at 259 East Fourteenth street?
Answer. I do not.
Question. Have you any brothers?
Answer. I have one in the city of Chicago.
Question. You have none in this city?

Answer. No, sir.
Question. Is there any other Mr. McCormick living in your house?
Answer. No, sir.
Question. What is Mr. Hart's business?
Answer. The Mr. Hart I have reference to is a stage-driver.
Question. Do you know the number of the house he lived in?
Answer. I don't; he lived in Fourteenth street, just above where the stables are building now.
Question. Did you hear Mr. Kearney, who lives at 287 East Fourteenth street, just remark that the house from which he voted was torn down before the election?
Answer. I know Mr. Hart, but don't know the house he lives in.
Question. You speak of one of the houses in which he lived, and a gentleman here present, Mr. Kearney I think, remarked that house was torn down before the 8th of November.
Answer. I heard him make that remark.
Question. What does James Gibney do?
Answer. He is a watchman in Mr. Badger's foundry.
Question. Where does he live?
Answer. 307, I think, Fourteenth street. I may be mistaken.
Question. Is Mr. Gibney married?
Answer. Yes, sir.
Question. Does his family live there with him?
Answer. Yes, sir.
Question. Mr. Bernard Dalton—what does he do?
Answer. He is a carman.
Question. Is he married?
Answer. Yes, sir; I presume he is; I am not positive of it
Question. Do you know for whom he works?
Answer. No; I believe he works for himself; he is in the drug business, I think.
Question. How many children has he?
Answer. Don't know.
Question. How long has he been naturalized?
Answer. Don't know.
Question. Do you know if he voted?
Answer. I don't, sir.
Question. How far from the corner does he live—from avenue A or B?
Answer. Could not tell you how far.
Question. Could you point out the house to me in which he lives?
Answer. Yes, sir.
Question. How lately have you seen him?
Answer. This afternoon.
Question. How long have you known him?
Answer. About three years.
Question. Joseph Alcorn—what does he do?
Answer. He works in Mr. O'Donnell's iron foundry.
Question. Do you know where he lives?
Answer. He lives in Fifteenth street; the number I am not positive of.
Question. Do you know if he voted?
Answer. I do not; I presume he did.
Question. Do you know if he is a naturalized citizen or not?
Answer. Can't say anything about that.
Question. William Britton—what does he do?
Answer. He is a carman, too.
Question. Where does he live?

Answer. Either in Fifteenth or Sixteenth street; his stable is in Sixteenth street.

Question. Do you know if he lives in this district or not?

Answer. He lives in the district; this side of Sixteenth street is in this district.

Question. Do you know whether 177 is on this side or the other?

Answer. Don't know.

Question. Philip McDermot—where does he live?

Answer. In Fifteenth street.

Question. Are you sure Philip McDermot lives in Fifteenth street?

Answer. I am positive of it.

Question. What does he do?

Answer. Don't know.

Question. Could you point out his house?

Answer. I could go into it, or the next one to it.

Question. You are certain he lives in Fifteenth street?

Answer. Yes, sir.

JOHN McCORMICK.

Attest: A. D. RUSSEL, *City Judge.*

Charles Boxberg sworn.

Examined by Mr. WATERBURY:

Question. Where do you live?

Answer. In Fourteenth street, No. 307.

Question. Did you live there at the time of the last presidential election?

Answer. I have lived eight years in the same place where I live now.

Question. Did you vote at the last presidential election?

Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. When were you naturalized?

Answer. I got my citizen's papers two years ago.

Question. Have you lived in the same house for eight years?

Answer. Yes, sir.

CHARLES BOXBERG.

Attest: A. D. RUSSEL, *City Judge.*

M. Blum sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 299 East Fourteenth street.

Question. Did you live there at the time of the last presidential election?

Answer. Yes, sir; I have lived ten years here.

Question. Did you vote at the last presidential election?

Answer. Yes, sir.

Question. Do you know Ignatz Waizman?

Answer. I know him.

Question. Where does he live?

Answer. In the same house.

Question. Did he live there at the last presidential election?

Answer. He lived there, next May, one year.
Question. Did he vote at the last presidential election?
Answer. Yes, sir.

Cross-examined by Mr PHELPS:

Question. Who lives in your house besides yourself—what other men?
Answer. Patrick McHenry and Ignatz Waizman.
Question. Where was Mr. Waizman born?
Answer. Germany.
Question. How long has he been in this country?
Answer. Don't know.
Question. When did you first know him?
Answer. About one year ago.
Question. You don't know whether he has been in the country ten years or five years, or how many?
Answer. I think he has been five years here; I think over six years in this country.
Question. Do you know a man by the name of McCarty?
Answer. No, sir.

M. BLUM.

Attest: A. D. RUSSEL, *City Judge.*

Bernard Dalton sworn.

Examined by Mr. WATERBURY:

Question. Where do you live?
Answer. One hundred feet from the corner of avenue B and Fifteenth street.
Question. Did you live there at the time of the last presidential election?
Answer. Yes, sir; since last May.
Question. Did you vote at the last presidential election?
Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. Where did you live before you came there, Mr. Dalton?
Answer. In the same street; I lived on this side of the street, and now I live on the other side.

BERNARD his × mark. DALTON.

Attest: A. D. RUSSEL, *City Judge.*

Ignaz Waizman sworn.

Examined by Mr. WATERBURY:

Question. Where do you live?
Answer. 299 East Fourteenth street.
Question. Did you live there at the time of the last presidential election?
Answer. Yes, sir.
Question. Did you vote at the last presidential election?
Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. When did you get out your naturalization papers?
Answer. About ten years ago.

IGNAZ WAIZMAN.

Attest: A. D. RUSSEL, *City Judge.*

Thomas Carney sworn.

Examined by Mr. WATERBURY:

Question. Where do you live?
Answer. 243 avenue B.
Question. Did you live there at the time of the last presidential election?
Answer. Yes, sir.
Question. Did you vote at the last presidential election?
Answer. Yes, sir.
Question. What is your business?
Answer. Laborer.
Question. Who do you work for?
Answer. At Mr. Badger's architectural iron-works.
Question. How long have you been working for him?
Answer. Eight years.

Cross-examined by Mr. PHELPS:

Question. You have lived at 243 for a long time?
Answer. Yes, sir; living there for two years I believe.
Question. Are there many other people living in the house?
Answer. Yes, sir.
Question. Can you give me the names of any of those you think of now, who are voters or who may be voters?
Answer. Ke ly and Gallagher. Am not acquainted with the rest of them.
Question. Did you know Thomas Henry before he died?
Answer. Yes, sir.
Question. How long ago did he die?
Answer. In June or July, I am not sure which.
Question. How long have you been a citizen?
Answer. Could hardly tell you, it is so long ago.
Question. Where did you get your papers?
Answer. At the City Hall, my last ones; I got my first ones in Newark, New Jersey.

T. CARNEY.

Attest: A. D. RUSSEL, *City Judge.*

Adjourned till 9½ o'clock a. m., Friday.

FRIDAY MORNING, *March* 31, 1865.

John Cameron sworn.

Examined by Mr. WATERBURY:

Question. Do you hold any official position; and if so, what?
Answer. Captain of the police of the eighteenth precinct.
Question. Did you hold that position at the time of the last presidential election?
Answer. I did, sir.
Question. Will you please state what the condition of the easterly districts of this ward, the ones bordering on the river, was during the day of the last presidential election, in respect to peace and order?
Answer. I don't know but what I could say unusually quiet; at least, there was no disturbance of any nature to report to the station-house; there were a few outside skirmishes that did not require any arrests.

Question. The river districts of the Eighteenth ward are the thirteenth, fourteenth, and fifteenth, I believe?

Answer. The twelfth is on the same line as the thirteenth.

Question. The thirteenth, fourteenth, and fifteenth are on the river, are they not?

Answer. The eleventh, I think, runs to the river.

Question. Do not the river districts include the thirteenth, fourteenth, and fifteenth?—they are all I care about.

Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. In saying that the districts on election day was full as quiet as usual, you speak only from your information as derived from the reports of your under officers?

Answer. That is so.

Question. You, yourself, had no personal experience aside from that during the day?

Answer. During the day I called around two or three times at the polls to see how things looked, and then returned to the station-house.

Question. How long did you remain at the polls?

Answer. A few moments; I passed into the polling place and came out.

Question. In these calls which you made in pursuance of custom on the 8th of November last, you noticed no unusual excitement?

Answer. No, sir; there was nothing unusual for this neighborhood.

Question. Do you know how the quietness with which the polling is carried on in these river districts compared with the order in the interior districts; is there generally more disturbance in these?

Answer. Yes, sir, more than in the western districts.

Question. What rules govern the patrolmen in making returns to headquarters of disturbances—how serious must a disturbance be?

Answer. If it amounts to an obstruction of the ingress or egress of the people to and from the polling place, it is a breach of the peace, and the police are instructed to interfere.

Question. If the police make no arrests, do they make any report to you?

Answer. No, sir; we usually inquire of them how they get along at the different polls as they come in, and are relieved.

Question. How long have you lived in this part of the city, Captain Cameron?

Answer. My family have never lived in the precinct. I have been captain of this precinct since July, 1860.

Question. Are you familiar with this section of the town?

Answer. Yes, sir; I think I am now.

Question. Did you ever hear how many names were registered for the last November election in the twelfth and fifteen districts?

Answer. I cannot recollect the number now.

Question. What was your impression as to the number; that it was large, or small?

Answer. I thought it was unusually large; that was my impression at the time.

Re-examined by Mr. WATERBURY:

Question. You were at each of the thirteenth and fifteenth districts during the day?

Answer. Yes, sir; I made mere calls.

Question. Were any complaints made in respect to the thirteenth and fifteenth districts? You have spoken of the reports of officers, but were any complaints made in respect to these two districts by other persons?

Answer. I don't recollect of any.

Question. Where is the station-house?

Answer. In Twenty-second street, between the First and Second avenues.

Question. How near is it to this place?

Answer. This is Fifteenth street and avenue B; it is quite a distance from here, but not far from the thirteenth district poll to the station-house.

Question. Is the latter distance more than three or four hundred feet?

Answer. That is not half the distance it is from this place to the station-house.

Question. How far from the thirteenth district poll to the station-house?

Answer. Two and a half blocks.

Question. How many feet—five or six hundred?

Answer. About six hundred feet.

Question. And from this place about fifteen or sixteen hundred feet?

Answer. O, yes; from First avenue to avenue B are long blocks, and from Fifteenth to Twenty-second street is quite a distance; it is about half a mile from here to the station-house.

JOHN CAMERON.

Attest: A. D. RUSSEL, *City Judge.*

Ellsworth H. Hoagland sworn.

Examined by Mr. WATERBURY:

Question. What office did you hold at the time of the November election?

Answer. Patrolman of the Metropolitan Police.

Question. Were you stationed at any election poll during the day of the last presidential election?

Answer. I was; at the corner of First avenue and Twentieth street.

Question. In the thirteenth district?

Answer. Yes, sir; I believe that is the number.

Question. How much time during the day were you there?

Answer. All day, only when gone to my meals.

Question. What was the condition of affairs during the day in respect to peace and order?

Answer. Quiet; nothing there with the exception of a little excitement; nothing that required any interference on my part, as I saw.

Question. What time were you finally relieved from duty there?

Answer. I left there between three and half past three in the morning.

Question. And it continued quiet until the time you left?

Answer. Yes, sir.

Question. Was there any attempt on the part of the crowd in attendance to overawe or intimidate the inspectors?

Answer. Not that I saw.

Question. Could such an attempt have been made and you not have seen it?

Answer. I was inside, outside, but I didn't see anything inside.

Cross-examined by Mr. PHELPS:

Question. What portion of the day were you inside?

Answer. In the morning I was inside awhile, and part of the afternoon

Question. Were you inside or outside the most?

Answer. About as much one place as the other.

Question. Did you hear any person in the crowd threaten to pull one of the inspectors over the counter?

Answer. I heard them say they got along very slow with the election.

Question. Do you know Mr. Owens, a man who was there?

Answer. I did not know any one there. I have not been in this ward long. I came here a week or two before the election.

Question. How many persons did you hear remark to the inspectors that they were slow?

Answer. A number of them from the crowd.

Question. Can you recall any language they used in making their objections?

Answer. They said that old man was very slow, and that if they had a young man there they would get along faster.

Question. Are you sure you did not hear any one threaten to pull him over the counter if he did not hurry up?

Answer. Don't recollect anything of that kind.

Question. Did you hear any but gentlemanly remonstrances addressed to the old man for his slowness?

Answer. Not to my recollection now, it is so long ago.

Question. You say the election was quiet, "with the exception of some little excitement;" what excitement was there in the room?

Answer. The excitement that there generally is at an election; hurrying and pulling, and hauling one another in and out.

Question. Did you see any parties at the polls pulling others who were offering to poll soldiers' votes?

Answer. No, sir; I did not.

Question. You say you saw men there dragging their friends in?

Answer. No, sir; I saw them taking them in to vote.

Re-examined by Mr. WATERBURY:

Question. Who relieved you when you went outside?

Answer. I believe a man by the name of McIntyre.

ELLSWORTH H. HOAGLAND.

Attest: A. D. RUSSEL, *City Judge.*

Andrew P. Sutton sworn.

Examined by Mr. ANTHON:

Question. You were a member of the Metropolitan Police at the last election?

Answer. Yes, sir.

Question. Where stationed?

Answer. Corner of Twentieth street and First avenue, thirteenth district of the Eighteenth ward.

Question. Inside or outside of the polling place?

Answer. Inside.

Question. All day?

Answer. Except when relieved from dinner and supper—only two or three hours out of the way.

Question. What was the condition of the polling place in the neighborhood as to its quietness?

Answer. I didn't see any disturbance there; nothing more than men crowding in, and trying to get their votes in, and coming out again.

Question. That crowding was a good-natured crowding, or a disturbance?

Answer. A good-natured crowding.

Question. No arrests were made?

Answer. No, sir.

Question. Nothing to call for your interference in any way?

Answer. If there was, we would have had to attend to it.

Question. Were you applied to by the poll clerks or inspectors?

Answer. No, sir.

Question. The election for the district was peaceably and quietly conducted?
Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. Was there any loud talking in the crowd?
Answer. Yes, sir.
Question. Did you hear what remarks were made to Mr. Jenny and Mr. Hargin, the inspectors?
Answer. This old gentleman, they said, was very slow in taking votes.
Question. Can't you recollect any words addressed to Mr. Jenny himself?
Answer. No, sir; I was placed there to keep the crowd back.
Question. How near the polling place did you stand or sit?
Answer. About three or four feet.
Question. Did you have any difficulty in keeping back the crowd?
Answer. Yes, sir; we had to keep in a line. A man would deposit his vote, and then go out of another door.
Question. You cannot recall any remarks made to Mr. Jenny by the crowd?
Answer. They said he was slow; that they ought to have a man who could take the votes faster.
Question. Can you tell what words they used? because we have had in evidence that they did not do it in a gentlemanly way.
Answer. I believe they said he was an old fool, or too slow; but I could not tell who said it.
Question. You did not hear any threatening to pull him over the counter?
Answer. Not to my knowledge.
Question. About how many hours during the day were you outside of the polls, including meals and absence?
Answer. About three hours.
Question. You were there all the rest of the day, inside?
Answer. Yes, sir.

Re-examined by Mr. ANTHON:

Question. Was the voting slow or rapid?
Answer. Very slow.

Re-cross-examined by Mr. PHELPS:

Question. What do you call fast voting? Taking all the delays of soldiers' votes and affidavits—taking the day through—how many ought to be polled in an hour?
Answer. I suppose they ought to poll thirty or forty.

ANDREW P. SUTTON.

Attest: A D. RUSSEL, *City Judge.*

Thomas J. Douglass sworn.

Examined by Mr. ANTHON:

Question You were a patrolman in the Metropolitan Police during the day of the November election?
Answer. Yes, sir.
Question. How long on the force?
Answer. Four years.
Question. Where were you on the day of election?
Answer. In the thirteenth district of the Eighteenth ward, corner of Twentieth street and First avenue.
Question. Inside or outside of the polling place?

Answer. Part of the day inside, and part outside.

Question. How large a portion inside and how large a portion out?

Answer. About as much one as the other.

Question The inside of the polling place was never left without an officer being present?

Answer. No, sir.

Question. Who were the officers?

Answer. Yager, and Roe, myself, Hoagland, Sutton, McIntyre, and there were two more.

Question. How many were there?

Answer. There were eight; I think so; those six names, I am satisfied of them.

Question. How was that election conducted as to its peacefulness and order?

Answer. There was a little quibbling among outsiders, but nothing to make me interfere at all.

Question. There was no disturbance of the peace there?

Answer. No, sir.

Cross-examined by Mr. PHELPS:

Question. Do you generally arrest a man for simply talking, if he does not break the peace by striking or touching?

Answer. No, sir.

Question. Did you hear what remarks were made to the old gentleman who was among the inspectors?

Answer. There were parties in the neighborhood of the door who said he was very slow and ought to be put out; I could not say who it was; they were all speaking at once.

Question. When you were inside did you hear any one address him?

Answer. This was a gang outside; I was inside at the time; they were gibing the old gentleman all the while for being slow, and it was generally remarked outside that he should be taken away, and so on.

Question. Can't you recollect the exact words that were spoken?

Answer. No more than I have already said.

Question. That they were gibing and grumbling?

Answer. And said they ought to have a smarter man; that is all.

Question. Did you hear any one say that he would pull him over the counter?

Answer. No, sir; I did not.

Question. Do you know a man named Owens?

Answer. No, sir.

Question. Is the government of the Metropolitan Police very strict?

Answer. Yes, sir.

Question. Is punishment summary and generally severe upon the least neglect on the part of its officers?

Answer. Yes, sir.

Question. Suppose that having failed to make arrests on that day, complaints were made against you by responsible parties that there were great irregularities, and that the conduct of the people at the polls was obstructing the voting?

Answer. There was no obstruction during the time I was there.

Question. If such a charge was made and proven, would it bring punishment upon the patrolman there?

Answer. No, sir; not unless the evidence was strong enough to convict him.

Question. During the time you were there was any complaint made to you on the part of the officers themselves?

Answer. Not during my time while I was inside.

THOMAS J. DOUGLASS.

Attest: A. D. RUSSEL, *City Judge.*

Edward Roe sworn.

Examined by Mr. ANTHON:

Question. Were you an officer of the Metropolitan Police at the time of the last general election?

Answer. Yes, sir.

Question. How long had you then been on the force?

Answer. Three years.

Question. Where were you stationed on election day?

Answer. Twentieth street and First avenue, in the thirteenth district of the Eighteenth ward.

Question. What was the condition of the polls during that day as to its peace and order?

Answer. It was very quiet, so far as I saw.

Question. Was there any request made by any parties there for you to interfere?

Answer. No, sir.

Question. The inspectors made no complaints to you of disorder, and did not ask your interference?

Answer. No, sir.

Question. No arrests were made?

Answer. Not that I saw.

Question. Was there any cause for any arrests?

Answer. Not that I saw.

Cross-examined by Mr. PHELPS:

Question. Were you stationed inside or outside of the polling place?

Answer. Both inside and outside.

Question. In about equal proportions all day?

Answer. Yes, sir.

Question. Did you see the crowd gibing the old gentleman among the inspectors for his slowness?

Answer. In the afternoon I could hear them grumbling a great deal about the old gentleman being slow.

Question. Can you recall any of the words which any one of the crowd addressed the old gentleman with?

Answer. Nothing more than that I heard some of them say they ought to have a young man there; he was too slow, and could not take votes fast enough.

Question. Do you know Mr. Owens?

Answer. I have seen him.

Question. Did you hear Mr. Owens make any remarks to Mr. Jenny?

Answer. I don't know that he did; he did say something, but what it was I did not hear; I was back towards the door when they were coming in, to keep them from crowding in too fast, and I could not hear all that was said.

Question. You cannot recall anything Owens said?

Answer. No, sir; being at a distance.

Question. Do the instructions of your department require you to arrest if there are simply words, and no breach of the peace except words?

Answer. If the words are not too threatening.

Question. You do arrest them for simple words unaccompanied by drawing a weapon?

Answer. The threat is to take a man's life.

Question. It would have to be of that severity?

Answer. Yes, sir; I should think it would.

Question. You would arrest a man if he made no active demonstration to carry his threat into execution—only for the simple words?

Answer. I don't know that I would; not for the mere threat.

Question. Unless there is some action accompanied by the words you do not arrest for the words?

Answer. Yes, sir.

Re-examined by Mr. ANTHON:

Question. If, at a general election, persons in a polling place should threaten with menacing gestures to take an inspector and throw him out of the polling place, you would consider it, under your instruction from your captain, a sufficient cause to interfere?

Answer. Yes, sir; I should.

Question. Don't you receive general instructions from the captain of the precinct to interfere in all cases where there is a reason to apprehend a breach of the peace?

Answer. Yes, sir.

EDWARD ROE.

Attest: A. D. RUSSEL, *City Judge.*

George Clinchy sworn.

Examined by Mr. ANTHON:

Question. You were a patrolman of the Metropolitan Police at the time of the general election in November?

Answer. Yes, sir.

Question. Stationed where on that day?

Answer. Right outside here; in the thirteenth district of the Eighteenth ward.

Question. How long were you there?

Answer. Pretty much all day.

Question. What was the condition of the polls during the day as to peace and order?

Answer. I thought it was very quiet.

Question. Were any arrests made?

Answer. I made none

Question. Was any request made by the inspectors or other officers of the election for your interference?

Answer. No, sir.

Cross-examined by Mr. PHELPS:

Question Were you stationed most of the day inside of the stable where the balloting was at, or outside?

Answer. Inside and outside; occasionally both.

Question. Where did you spend a larger portion of the time, on outside or inside of the stable?

Answer. About half between outside and inside.

Question. Were you inside when a young man came up to one of the inspectors and expostulated with him for refusing to let a man vote whose name was not spelled right?

Answer. Not that I saw.

Question. Then, if there was a disturbance upon that occasion, you did not see it?

Answer. No, sir.

Re-examined by Mr. ANTHON:

Question. Suppose that young man came up and made such inquiries as that, Mr Clinchy, it would not alter your opinion as to the peace and order of the poll?

Answer. Certainly not.

Question. Do you know of any young man coming up and making such a remonstrance as that?

Answer. Not as I remember.

Question. Have you any reason to believe that any such occurrence took place?

Answer. No, sir.

Question I ask the same question I asked Mr. Roe as to instructions from your precinct as to interfering in particular cases of breach of the peace?

Answer. Yes, sir; we all receive the same instructions.

GEORGE CLINCHY.

Attest: A. D. RUSSEL, *City Judge.*

Morris Stack sworn.

Examined by Mr. ANTHON:

Question. You were a patrolman of the Metropolitan Police on the day of the last general election?

Answer. Yes, sir.

Question. How long on the force at that time?

Answer. About six years.

Question. Where were you stationed that day?

Answer. Fifteenth district of the Eighteenth ward, near the corner of avenue B and Fifteenth street.

Question. What was the condition of the polls and the election during that day as to peace and order?

Answer. Quiet.

Question. Did you witness any disturbance there?

Answer. No, sir.

Question. Were you requested by any of the officers of the election to interfere in any way?

Answer. No, sir.

Question. You saw no conduct in your judgment tending to the breach of the peace, or disturbance?

Answer. No, sir.

Cross-examined by Mr. PHELPS:

Question. You said the polls were held near the corner of avenue B and Fifteenth street?

Answer. In the stable near that.

Question. Was it held in a stable in Fifteenth street?

Answer. Yes, sir.

Question. Were you inside or outside, or both?

Answer. Both inside and outside.

Question. Do you know any liquor was sold at the corner of avenue B and Fifteenth street during the day?

Answer. No, sir.

Question. Did not you go by this corner during the day?

Answer. Yes, sir.

Question. Did not you come in during the day into this building?

Answer. I don't know if I did; I don't remember.

Question. Are you sure you don't remember coming in here?

Answer. I don't remember coming in; I am sure of it.

Question. You are sure no liquor was sold here during the day?

Answer. I did not take any myself during the day; I don't know.

Question. Did you see any parties coming in and out?
Answer. I saw them coming in at the side door.
Question. Did you see many or few?
Answer I saw a few.
Question. Did you see as many as ten?
Answer. I don't know; I did not pass any remark.
Question. Did you see as many as ten?
Answer. I didn't keep any count.

Re-examined by Mr. ANTHON:

Question. The entrance to the dwelling portion is through the side door, through which you saw people entering?
Answer. Yes, sir.
Question. The natural mode for coming in was through that door?
Answer. Yes, sir.

Re-cross-examined by Mr. PHELPS:

Question. Is there no communication between that entry and the bar-room?
Answer. I believe there is, sir.

MORRIS STACK.

Attest: A. D. RUSSEL, *City Judge.*

John Rowan sworn.

Examined by Mr. ANTHON:

Question. You were a patrolman of the Metropolitan Police at the time of the general election in November?
Answer. Yes, sir.
Question. How long had you been on the force at that time?
Answer. About two years.
Question. Where were you stationed?
Answer. Fifteenth district, Eighteenth ward.
Question. That is in the stable in Fifteenth street, near avenue B?
Answer. Yes, sir.
Question. What was the condition of the polls at the election there as to its peace and quiet?
Answer. I considered it peaceable.
Question. Were you called upon to interfere in any way by the inspectors, or others in charge of the election?
Answer. No, sir.
Question. No arrests were made?
Answer. Not that I saw.
Question. You saw no occasion for any arrest?
Answer. Not in my presence.

Cross-examined by Mr. PHELPS:

Question. The larger portion of the day were you inside or outside of the stable?
Answer. The larger portion of the day I was inside, and sometimes at the door standing.
Question. Did you hear or see a young man expostulating with one of the inspectors on account of the irregularity, which he conceived to be such?
Answer. No, not in my presence; I heard some remarks made to one of the inspectors that he was slow.
Question. Did you hear more than one make their remarks to the inspector about being slow?

Answer. I did, sir.

Question. About how many?

Answer. About four or five.

Question. Can you recollect the exact words they used for finding fault with his slowness?

Answer. One man said he was slow in taking votes.

Question. You did not hear a young man expostulate with the inspector because he refused to allow a man to vote whose name was spelled incorrectly on the registry?

Answer. Not to my knowledge.

Question. Then, if that event had occurred, there were some things which occurred in the immediate vicinity of the ballot-box which you did not hear or notice?

Answer. I was standing at the door some of the time.

Question. If it was proved distinctly that such a thing did occur as I have stated, would it not shake your belief in the positiveness with which you state?

Answer. There were some soldiers' votes which came there, and some expostulated about the slowness, and there were some words about the correctness of soldiers' votes.

Re-examined by Mr. ANTHON:

Question. Was there anything, in this talk about the soldiers' votes or the slowness, which was threatening or menacing in any way?

Answer. No, sir; some people said if the soldiers' votes came it would take so long a time to get through.

JOHN ROWAN.

Attest: A. D. RUSSEL, *City Judge.*

Stephen Roff sworn.

Examined by Mr. ANTHON:

Question. You were a patrolman of the Metropolitan Police on the day of election in November?

Answer. Yes, sir.

Question. Where were you stationed on that day?

Answer. In the stable in Fifteenth street, in the fifteenth district, Eighteenth ward.

Question. What was the condition of the poll at the election during the day as to its order and quiet?

Answer. I think it was very quiet.

Question. You saw no reason for police interference?

Answer. No, sir.

Question. Were you called upon by the inspectors or other officers to interfere in any way?

Answer. No, sir.

Question. Was there any breach of the peace either made or threatened there?

Answer. No, sir; not inside, to my knowledge.

Cross-examined by Mr. PHELPS:

Question. Were there many parties in the polling-room at once?

Answer. Some five or six at a time.

Question. That was all the men that would be in the polling-room at any one time?

Answer. I was not there all the time; I was outside.

Question. How many would the room hold in front of the enclosure, where the ballot boxes were?

Answer. I suppose a dozen in single file.

Question. Then you think at no time while you were there, there were more than a dozen inside?

Answer. I can't say positive.

Question. Did you hear or see a young man expostulating with one of the inspectors, because he refused the vote of a party whose name was not spelt correctly on the register?

Answer. I believe I did.

Question. What time in the day was that?

Answer. I think it was about dinner time; I can't exactly state the time.

Question. Do you remember what this young man said?

Answer. I was standing out by the door then; the name was spelt with one letter or so wrong.

Question. Did you hear the inspector say that if he did not desist he would call upon the police to arrest him?

Answer. No, sir.

Re examined by Mr. ANTHON:

Question. Was there anything violent or threatening in that kind of expostulation?

Answer. No, sir.

STEPHEN ROFF.

Attest: A. D. RUSSEL, *City Judge.*

Francis B. O'Donnell sworn.

Examined by Mr. WATERBURY:

Question. What office in connexion with the election did you hold at the time of the last presidential election?

Answer. I was one of the inspectors, the chairman.

Question. What district?

Answer. Second district, Eighteenth ward.

Question. How many votes were polled in that district?

Answer. I forget exactly. I think about seven hundred and forty, fifty, or sixty—somewhere along in that neighborhood. I forget the number.

Question. Were they polled without difficulty, and was a full opportunity given for challenging?

Answer. Yes, sir.

Question. Were all the challenges that were made duly considered and passed upon?

Answer. Yes, sir.

Question. Were there many challenges?

Answer. I only recollect of one challenge.

Cross-examined by Mr. PHELPS:

Question. Do you remember the name of the one man who was challenged?

Answer. I think it was Mr. Belmont.

Question. Why was Mr. Belmont challenged?

Answer. Well, some gentleman made a challenge in regard to his having made a bet on the result of the election.

Question. Does Mr. Belmont hold any position in the democratic party—chairman of a committee, or any other position?

Answer. I don't know, sir; not that I am aware of.

Question. You don't know that he is chairman of the national committee of the democratic party?

Question. Where is the second district situated; is it a river or an interior

Answer. No, sir; I don't know that he is; he may be; I don't know. district?

Answer. The poll was held in Nineteenth street, near Broadway, in a stable.

Question. Were the names of most of the parties who offered to vote at that poll upon the register, or did they vote upon affidavits?

Answer. There were some not registered.

Question. How many do you think voted upon affidavits?

Answer. I suppose some twenty.

Question. Were you ever an inspector of election in any other district, Mr. O'Donnell?

Answer. No, sir.

Re-examined by Mr. WATERBURY:

Question. Is Mr. Belmont a prominent and well-known democrat?

Answer. Yes, sir, by reputation.

F. B. O'DONNELL.

Attest: A. D. RUSSEL, *City Judge.*

Daniel C. Birdsall sworn:

Examined by Mr. ANTHON:

Question. Where do you reside?

Answer. 224 East Thirtieth street, in the second district of the Twenty-first ward.

Question. Where were you on the day of the last presidential election?

Answer. At the polls in Twenty-eighth street, between Second and Third avenues, during the entire day.

Question. In what district?

Answer. Second district.

Question. You are a member of the bar, are you not?

Answer. Yes, sir; a lawyer.

Question. You have read the testimony of Gideon L. Walker, given in this examination?

Answer. Yes, sir.

Question. Will you be kind enough to tell what you did, and in what respect, if any, you differ from the testimony of Mr. Walker?

Answer. I went to the polls that morning before they opened, obtained a vote, and went inside of the polling place and stood in front of the inspector's table until the polls closed, with but very few moments' intermission. I think I went out once or twice. I kept this book all day; as voters came in I took their names and found their number on the book before they offered their ballots, generally, and I told Mr. Walker their number on the list; Mr. Walker was acting as inspector; I swore in several parties who were not registered.

Question. Swore them in as a notary public?

Answer. Yes, sir. I am a notary public; there was a very long list of voters there, and I did this for the purpose of expediting it, so that we could get in the full vote of our district. We did not get rid of the line until about 3 o'clock in the afternoon. Mr. Walker left the polls on two occasions, and left another man there to act in his place, who was not an inspector.

Question. Was that man sworn in?

Answer. Not that I am aware of, sir. I didn't handle any of the votes that were offered by the voters, and did not, in any manner, act as inspector. On some occasions I administered the usual oath to the householders who came to vouch for men who were not on the register. Mr. Walker swears that he objected to it in his examination, which was not the case. There was no objection made to it, and after I administered the oath Mr. Walker examined the parties. I did not examine them, having no right to do so.

Question. Is that the entire statement of what you did?

Answer. Yes, sir.

Question. You say that no objection or remonstrance was made by Mr. Walker to your swearing these householders?

Answer. None whatever.

Question. Do you know what the vote polled in that district was?

Answer. I don't know, sir. I had a list of it afterwards, which I looked at at the time; I don't recollect now. I did not make any memoranda to bring here. Perhaps it is well for me to say a word with regard to Mr. Walker's examination; he testifies that, during the riot a year ago, I said I was a copperhead, and his (Mr. Walker's) house would not be burned because it was next to mine; I don't wish that to stand unrefuted; during that riot Mr. Walker and I had frequent conversations together in front of our houses—they being close together—as well as several other of his neighbors; and he, in a joke, said to me and Mr. Sargent B. Bagley and Mr. Barry, that he thought there was no danger of their houses being burned, for my democratic friends would not burn me out, and they would not burn them out because they were next to me; I did not make any remark; I said, however, that the riot had degenerated into a sort of a mob, and it did not make much difference to them who they burned out or robbed.

Question. Do you remember what Lincoln's vote was in that district?

Answer. I don't know; but I had a tally or list of them, which I took on that night after the canvass. I suppose it would be well for me to say here that I know personally a very large proportion of the voters of that district; and when they came to vote, I knew their names, and consequently could check them over easily on the book before they got up to offer their votes—therefore expediting the business; as soon as they got up to the polling place I would say to Mr. Walker the number on the register and he would check it off.

Question. Where were you on the evening of the day of election?

Answer. After the polls closed I went home for something to eat, having been fasting nearly all day, except picking up a few crackers, and then went over to the third district of the Twenty-first ward.

Question. What was your object in going to the third district?

Answer. My object in going there was, that I being a friend of Mr. Brooks, I considered that Mr. Barr had control of the board of canvassers there, and it was one of the strongest districts in the ward for Mr. Barr, and I thought it would be well for me to keep a little watch; this was talked over between some others and myself before the election.

Question. Who were the canvassers there?

Answer. A man by the name of Mahoney and Fitz Simmons; I don't know the other canvasser.

Question. He zman?

Answer. Don't know his name.

Question. Did you watch the canvass there?

Answer. I was there during the entire canvass for Congress—I think the entire; I think I was there every moment of the congressional canvass.

Question. And you watched that canvass—was it correctly and fairly made?

Answer. Yes, sir; I kept a tally of it. In that canvass Mr. Barr got two hundred and six votes; Mr. Brooks one hundred and eighty-seven, and Mr.

Dodge one hundred and thirty-seven; when I left there were two assembly ballots that came out of the congressional box. Whether they were found and corrected afterwards I don't know; that was my tally of the canvass in that district.

Question. Do you know the result of any other ticket in that district?

Answer Yes, sir.

Question. What ones?

Answer. The presidential.

Question. What was that?

Answer. The McClellan ticket received four hundred and fourteen, and the Lincoln ticket one hundred and sixty-four; Governor Seymour received four hundred and fifteen, and Fenton one hundred and fifty-two.

Question. What other?

Answer. The assembly; Mr. Stephen R. Pinkney received three hundred and twenty, Mr. Deifendorff one hundred and fifteen, and Mr. Van Buren one hundred and three—the republican candidate.

Question. Mr. Mahoney and Mr. Fitz Simmons—to what section did they belong, in reference to the congressional election?

Answer. Mr. Mahoney was a very strong Barr man—in favor of Mr. Barr; we supposed Mr. Fitz Simmons was rather favorable to Mr. Brooks, though there were great doubts about it among some of our friends.

Question. And the remaining canvasser?

Answer. He was a republican canvasser; I want to say one word in relation to the testimony of Mr. Walker on the soldiers' votes offered by Mr. Baker.

Question. What do you know about them?

Answer. I was there when Charles W. Baker came in with quite a batch of soldiers' votes; I saw him vote there; Mr Walker protested at first that he had no right to vote there; Mr. Baker was not a resident of the district; the democratic majority concluded to take the votes, and after taking them, I saw the ballots opened by the inspectors; and knowing the democratic and republican indorsements, and all the votes voted thus by Mr. Baker, except two, contained tickets having the republican indorsement, and I laughed at Mr. Baker about it afterwards, that he had voted so many republican tickets.

Question. During the day, in the second district, what protests were made by Mr. Walker?

Answer. He protested against receiving the votes which Mr. Baker offered, and against receiving some one or two votes offered by Mr. Keaney.

Question. What was the ground of his protest against receiving Mr. Baker's votes?

Answer. The first ground was that Mr. Baker did not reside in the district.

Question. In the election district, you mean.

Answer. Yes, sir.

Question. Did Mr. Baker reside in the congressional district?

Answer. Yes, sir; Twenty-first ward. The next ground was, there was no proof that these soldiers had ever resided in the ward, but their names were on the poll-list.

Question. The names were on the register?

Answer. Yes, sir; but I don't know they were on the list—the poll-list; I don't know that I ever saw the last poll-list.

Question. What other protest did he make?

Answer. I don't recollect that he made any; I know that he said at that time that my being there helped them expedite business very much.

Question. You are familiar with the district, and with the eastern portion of the Twenty-first ward?

Answer. I have lived in the eastern portion of the Twenty-first ward for the last six years.

Question. What is the condition of feeling in the eastern part of the district in relation to the draft?

Answer. It is rather bitter—very bitter I should say.

Question Is it a matter of difficulty to obtain names and residences of men liable to military duty?

Answer It is very difficult to find the name and residence of anybody living in that portion of the ward; I have experienced it myself.

Question. Would that difficulty be affected by anything resembling a military appearance in the person applying for the information?

Answer. I suppose if a man dressed in military clothes should apply in the eastern portion of our ward to find any person, although he may have lived there for the last ten years, he would be unable to find that he ever lived there.

Question. What chance would a man have, if known to be connected with the police force, in obtaining such information?

Answer. I don't think anybody could obtain information of the residents there unless their business was known.

Question. Do you think the police association would assist him at all in getting information?

Answer. I don't think it would; the police know very few of the residents—a good many living in one house.

Question. Would it be easier for a man to obtain the information of which I speak, going there without any appearance of its being a business matter, or carrying books and lists, and making entries upon his books and lists, would he get the information?

Answer. I should say it would be much easier to go simply as a citizen; and if the majority of the people living there should see a man coming with a book to take down information, they would be very sure to mislead him, and say the parties did not live there. To give you one instance: I went out week before last to find a man by the name of William Mooney, a baggage master on the Harlem railroad, as I wanted to send a bundle of papers to my brother by him; I went into the house that I was told he lived in.

Question. Where was that?

Answer. In Twenty-ninth street, between Second and Third avenues. I inquired of the young woman standing by the door if a Mr. Mooney lived there; she said no. I went up stairs and inquired of two or three doors (there were several families living in the house) for William Mooney—if William Mooney lived there, and one woman hesitated some time and asked what I wanted. I told her I wanted to see him on a little errand. She said it was his apartments and it was after considerable hesitancy that I could get this information; I found he was not in, and left my communication.

Question. The same remarks that apply to the eastern portion of the Eighteenth ward would apply to the Twenty-first ward?

Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. This copy of the register you had, from whom did you get it?

Answer. I think from Mr. George McDonnell.

Question. When did he give it to you?

Answer. On the morning of the election.

Question. Had you not had the register before the morning of the election?

Answer. I had.

Question. How long had you had it in your possession?

Answer. I took the register after it was completed from Mr. McDonnell; I had a copy made and returned it to him.

Question. When did you take it from Mr. McDonnell; on what day?

Answer. I think it was on Sunday; I said to Mr. McDonnell, as they had

only one or two accurate copies, that I wanted one made; I think it was Sunday I got one of the copies.

Question. You say you took it when completed; was it not completed before Sunday?

Answer. I don't know when it was completed.

Question. Had you applied for it before Sunday?

Answer. Not to my recollection.

Question. If you had applied you would remember?

Answer. I think I got it when I applied for it; in fact, I don't think I really applied for it; I think Mr. McDonnell and I were talking about it, and he said they had not been able to get a sufficient number of copies made, and I told him I would get a copy made.

Question. You made no entry upon the registry?

Answer. Yes, sir; I went in during the registry to see if my own name was recorded and found that it was; also to register the name of Mr. Hammond, who lived in the house with me; and I think there was no clerk there at the time. If I recollect right, Mr. McDonnell was there, and he asked me to put down Mr. Hammond's name, and I did so.

Question. Was Mr. Hammond there any time?

Answer. No, sir.

Question. Don't you remember among the grounds of protest that Mr. Walker made in the reception of these soldiers' votes, the statement that they had been put upon the register without their personal appearance?

Answer. I don't recollect that he made that protest, though he might have done it; I don't say that he did not.

Question. Do you know how the names of these soldiers got upon the register?

Answer. I know how the name of one of them got there.

Question. Which one was that?

Answer. Reuben Huber.

Question. How did it happen it was put on?

Answer. I had it put on at his request; he was on a furlough and I made out his proxy for him and he swore to it before Colonel Tunk or Adjutant Hyde, and left it to vote. He told me he lived with his sister, who was living in Thirtieth street, and had lived with her when she lived in Canal street, and that was his home, and from that statement I had his name put on the register.

Question. When you registered him were you obliged to take an oath?

Answer. No, sir.

Question. You told me you did not know how the other soldiers' names got on?

Answer. No, sir; I think that is the only one that I know anything about getting on.

Question. How near were you to the ballot-box during the course of the election, that you were able to discover the indorsement upon these soldiers' ballots when opened?

Answer. The indorsements when I looked at them were opened by Mr. Gehegan within two feet of where I stood.

Question. Was this Gehegan an inspector?

Answer. Yes, sir; and the other inspector, Mr. McMullin, opened some of them. I was standing on one side, and there was only a narrow board of two feet that separated us, and I stood on the outside of that board and he on the inside, and he held one or two of them as he took them out for the purpose of letting me see them, to see that Mr. Baker was voting the republican ticket.

Question. How many did he hold up that you saw?

Answer. Three, I think.

Question. Then you think that these three soldiers' votes were republican?

Answer. Yes, sir, according to the indorsement; having sent for a democratic indorsement myself, I knew what they were.

Question. Did you see the affidavits accompanying these votes?

Answer. I may.

Question. Before whom were they sworn?

Answer. Don't know.

Question. Did not you ever hear before whom they were sworn?

Answer. No, sir; except in the one instance, by Mr. Huber, and he swore it in my presence.

Question. Where does Mr. Walker live?

Answer. One hundred-and-eleventh street, between Third and Fourth avenues.

Question. Where did he live on the 8th of November last?

Answer. 228 East Thirtieth street.

Question. How far was his residence, on the 8th of November last, from the polling place of the second district?

Answer. About the middle of the block in Thirtieth street, between Second and Third avenues; the polling place is about the middle of the block in Thirty-eighth street, between Second and Third avenues; I should say one thousand feet.

Question. I want you to give me the district in which Mr. Walker ought to have voted.

Answer. He ought to have voted in the second district, where I did.

Question. How far was the polling place of the third district from his house?

Answer. About four hundred feet.

Question. Was it on the same block?

Answer. No, sir; it was diagonally across the Second avenue; Mr. Walker lives on the south side, and the polling place of the third district was on the north corner of Thirty-first street and Second avenue, and then it was over three hundred feet; it was five hundred feet at least.

Question. Did Mr. Walker leave his post to go to his meals during the day?

Answer. Yes, sir, twice; from half to three-quarters of an hour each time.

Question. Are you sure he did not leave oftener than twice?

Answer. I am not aware that he left more than twice.

Question. Were you there all day?

Answer. Except to go into the yard once or twice.

Question. You are sure he went twice?

Answer. I know he went twice; I should say he went three times; I know he went twice.

Question. How long were you, during the canvass of the congressional ticket, at the table on which the votes were, in the third district?

Answer. One of the canvassers was sitting immediately in front of me, and I was looking over his shoulder, down on the table.

Question. Were you behind the railing?

Answer. There was no railing between me and the canvasser; I stood looking down on the table, over his shoulder.

Question. Which of the canvassers was that?

Answer. I think it was the republican canvasser; I don't know his name; I think Mahoney; he sat on the back part of the table, and Fitz Simmons at the right.

Question. Did each of the three canvassers count the congressional tickets?

Answer. One of the canvassers—after they were all over and sorted—one of the canvassers counted them, seeing that they were placed in the proper pile, and passed them to the next; each one counting the tickets, and looking at the name on them, as they passed, and then tallying them after the third one had counted.

Question. All three participated in the counting?

Answer. Yes, sir; each ticket went immediately in front of me, so that I could look at it as it passed around.

Question. Was there any difference in the indorsement on the back between Brooks's ticket and Barr's?

Answer. Yes, sir.

Re-examined by Mr. ANTHON:

Question. Mr. Hammond, of whom you speak, was a legal voter in the district?

Answer. Yes, sir; lived there since the first of May last.

Question. And Huber was also entitled to vote in that district?

Answer. I suppose he was; it is merely a matter of opinion on law; the opinion is that he was legally entitled to vote.

Question. What district was Huber registered in?

Answer. In the second.

D. C. BIRDSALL.

Attest: A. D. RUSSEL, *City Judge.*

George McDonald recalled.

Examined by Mr. ANTHON:

Question. You have made some inquiries as to voters in the first, second, and third districts of the Eighteenth ward?

Answer. Yes, sir.

Question. You have examined the poll-lists of those wards at the last presidential election?

Answer. Yes, sir.

Question. State what inquiries you made, if you please, and their result.

Answer. I found on the poll-list names that voted out of the Fifth Avenue hotel. I found fifty-nine names reported. I found in the Everett House seventeen; Clarendon, fourteen; Spingler House, eight; Bancroft, fifteen; Madison House, one; Ashland House, thirteen; Albemarle, seventeen; St. James, eleven; St. Germain's, eighteen; St. Julian, one—which made ninety-four votes that I found out of the one hundred and sixty-four that had voted, and in these three districts

Question. I ask you for the names of those you found on the poll-list, whom you could not find at the residence given.

Answer. I did not find in the Everett House George A. Fillbrick, J. C. Mather, Patrick J. Hickey, Finley J. Wright, Romeo Kingsland, George W. Jones or Groves, I don't know which, or Chas. McGarie.

At the Clarendon I did not find Joseph Colegate, T. H. Van Beuren, Loyal T. Pond, W. B McAlly, Edward McCormack.

At the Spingler House I did not find Chauncey Barnard, C. H. Farley.

At the Bancroft I did not find H. H. Morange, M. S. Brundage, H. C. Beecher, C. A. Arthur, S. Adams.

At the Madison Square hotel I did not find Clinton Rice.

In the Fifth avenue I did not find Ira W. Jones, James Venken, Joseph H. Thompson, W. B. Brady, D. S. Brady, J. W. Morse, Pat. Wood, D. Sullivan, W. H. Carr, J. J. Nichols, A. Belknapp, E. Collamore, S. A. Wheelwright, J. S. Guiness, J. Stahles, T. Mooney, P. Murry, L. Curtis Edgerton, F. Chambers, J. L. Kipp, H. H. Swift, J. McGuiness, C. Mackey, E. A. Hammond, C. F. W. Cartlin, N. Dole, T. Dougherty, R. Hibbard, F. A. Wheelwright, H. McMann, J. W. Herbert, J. Locklin.

At the Ashland House I did not find G. W. Soule, Chas. A. Edwards, Geo. C. Snalley, C. B. Tompkins, L. Adams, W. P. Coolidge.

At the Albemarle hotel I did not find H. D. Sedgwick, S. S. Stocking, C. H. Read.

At the St. James I did not find C. F. Rodgers, E. C. Hall, A. Mills, A. Howes, John Dalton, C. W. Darling.

At the St. Germain's I did not find J. M. Hodges, M. S. Putnam.

Question. What was your object in making that inquiry?

Answer. I was register for the second district up there, and I saw that there was something out of the way, and I told some of my friends what had happened, and they advised me to go down and see if the difference would not be found in the western part of the Eighteenth and Twenty-first wards.

Question. The western part of the Eighteenth ward is a wealthy portion?

Answer. Yes, sir; and wanted to see if there could not be mistakes in the wealthy as well as the poorer portion of the district.

Cross-examined by Mr. PHELPS:

Question. When did you make these inquiries?

Answer. Three or four nights ago.

Question. Did you make them all in one night?

Answer. Yes, sir.

Question. You have given me the name of Chauncey Barnard, 108 Broadway, who has a country-place at Throgg's Neck, who is spending the winter at the Spingler House. Do you mean to swear that he had no right to vote?

Answer. No, sir.

Question. You have given me the name of ex-Mayor Brady as voting from the Fifth Avenue hotel. Do you mean to swear that he was not entitled to vote?

Answer. I do not.

Question. Do you mean to swear that he was not there on the 8th November last, or had not been there?

Answer. No, sir.

Question. Can you swear that there was not any one of these men that lived at the Fifth Avenue hotel that was entitled to vote?

Answer. No, sir.

Question. They told you they did not live there?

Answer. Yes, sir.

Question. Did you inquire of the clerk at the office?

Answer. Yes, sir.

Question. Did you inquire at the office how long they had been there?

Answer. No, sir.

Redirect examined by Mr. ANTHON:

Question. Do you know that any one of these gentleman was entitled to vote there?

Answer. I do not.

Question. In addition to ex-Mayor Brady and Real Estate Agent Barnard, and all those people, I find at the Fifth Avenue hotel Pat. Wood—are you prepared to make any statement about Pat. Wood?

Answer. No, sir.

Question. I find Mr. J. Stahles—do you know anything special about him?

Answer. No, sir.

Question. You did not find that all the people on this list are ex-mayors and real estate agents, and people of that kind, did you?

Answer. No, sir.

Question. With regard to Mr. Barnard—do you know whether Chauncey

Barnard is one of those persons who resides out of town in order to avoid his taxes, and who ought to vote at his country-place?

Answer. I don't know.

GEO. McDONALD.

Attest: A. D. RUSSEL, *City Judge.*

Adjourned till 7½ o'clock p. m.

FRIDAY, *March* 31, 1865—7½ p. m.

Smith Ely, jr., sworn.

Examined by Mr. ANTHON:

Question. You are a member of the board of supervisors, are you not?

Answer. Yes, sir.

Question. How is that board constituted politically by law?

Answer. The design of the law, which has never been interrupted, is, that it should be half of either political party, and it always has so resulted thus far.

Question. Previous to the last general election its constitution was half democratic and half republican, was it not?

Answer. Yes, sir.

Question. How are the inspectors, registers, and canvassers of election appointed?

Answer. They are appointed by the board, by ballot.

Question. And what rule governs the appointment, politically speaking?

Answer. The board being equally divided, of course the appointees of the board are equally divided or appointed.

Question. There are three of each of those officers—how is that disposed of?

Answer. We usually commence either one or the other, take the first district and Frst ward,and alternate in that manner all the way through; where the democratic party has one inspector we have two canvassers, and *vice versa;* so that in the aggregate each party has one-half of the whole number.

Question. At the last election the inspectors, canvassers, and registers were appointed in this way?

Answer. Yes, sir; and always have been so during the last five years.

Question. How were the democratic appointees selected with reference to the contest between Mr. Dodge, Mr. Brooks, and Mr. Barr?

Answer. I don't know that either of the candidates was consulted.

Question. How were those democratic appointments agreed upon, so far as you know?

Answer. The democrats in the board of supervisors are all of the regular Tammany organization, and we have been in the habit always of taking the recommendations of the Tammany organization for these appointees.

Question. Is there any distribution of the appointments among the democratic members of the board of supervisors in assignment of the appointments?

Answer. Yes, sir, so far as this—that each supervisor took certain wards to make the nominations for.

Question. And their nominations were confirmed by the board?

Answer. Confirmed by the board in all except one instance.

Question. What instance?

Answer. With regard to that made by Supervisor O'Connor.

Question. In what ward?

Answer. I think in his own ward, the Nineteenth.

Question. Then it refers to the Nineteenth ward?

Answer. Yes, sir.

Question. To whom were the appointments assigned in the Eighteenth, Twentieth, and Twenty-first wards?

Answer. I am not able to tell with regard to all of them; my impression is that I had the Twentieth ward.

Question. You don't remember who had the Eighteenth?

Answer. I think Supervisor Briggs, because he resides there; it has been our custom for each man to take his own ward.

Question. In what way did you determine upon the appointments for the Twentieth ward?

Answer. I sent a note to the regular democratic organization of the Twentieth ward to send me a list, and I think I read it to Mr. Sweeney, whom I regarded the chairman of the organization.

Question. When you speak of the regular democratic organization you mean the Tammany Hall?

Answer. Yes, sir.

Question. What is Mr. Sweeney's first name?

Answer. Peter B. Sweeney.

Question. Do you know whether he is any relation or connexion of Mr. Barr, the candidate for Congress?

Answer. I don't know; I have heard it so asserted, but know nothing of the matter.

Question. Were you a member of the Tammany Hall general committee during last year?

Answer. Yes, sir.

Question. Was Mr. Barr also a member of that committee?

Answer. Can't say positive; I think he was; it is my impression, although I can't say positive; I attended last summer very irregularly; although a member of the committee, I was there but three or four times.

Cross-examined by Mr. PHELPS:

Question. Do you know that Mr. Sweeney made his selection of the names which were given you for confirmation and appointment?

Answer. I don't know that he did; my impression is that I met Mr. Sweeney shortly after writing to him this note, and he told me that he referred it to Alderman Brice, who would supply a list.

Question. Do you know whether Mr. Brice is a relative of Mr. Barr?

Answer. Don't know.

Question. Do you know if he has a preference over Mr. Barr for Mr. Brooks?

Answer. I don't know.

Question. Was Mr. Barr the nominee of the Tammany Hall?

Answer. Yes, sir.

Question. And it is the Tammany democracy which is so far considered the regular organization as to name the appointments for the board of supervisors?

Answer. Yes, sir; it is the only organization that we recognize in the board of supervisors.

Re-examined by Mr. ANTHON:

Question. From whom did you obtain that list you speak of?

Answer. I think it was supplied me by Alderman Brice.

Question. What candidate for Congress in this district did the Tammany general committee recognize?

Answer. Mr. Barr.

Question. What was the understanding, or the intention, with regard to the democratic appointments of inspectors, canvassers, and registers in reference to their being supporters of Mr. Brooks or Mr. Barr?

Answer. That I know nothing about, except generally it sustains the regular organization of the party, and the nominee of the party.

Question. And therefore sustained Mr. Barr?

Answer. Yes, sir.

Re-cross-examined by Mr. PHELPS:

Question. Can you recall the name of a single inspector, or register, or canvasser of election, who was appointed because he was a Barr man rather than a Brooks man?

Answer. I don't know that I can recall the name of a single individual.

Question. Can you tell me the name of a single supervisor who said he had appointed either of these officers for the reason that he was a Barr man rather than he was a Brooks man?

Answer. No, sir.

Question. Can you give me the name of any supervisor not in any ways connected with the democratic party who had anything to say with reference to these appointments?

Answer. I don't know that I had any conversation upon the subject.

SMITH ELY, JR.

Attest: A. D. RUSSEL, *City Judge.*

F. R. Traver sworn.

Examined by Mr. ANTHON:

Question. What is your present occupation?

Answer. Connected with the city inspector's department.

Question. Have you any knowledge of the registration or statistical department of that office?

Answer. I am connected with the annual survey of the city—the sanitary survey of the department.

Question. What information does that require you to obtain with regard to the names and residences, and so on, of citizens?

Answer. It is the intention to cover every street, and every house, and every foot of ground in the city.

Question. Have you been engaged in these researches during the past year?

Answer. For the last five months I have had charge of the department—about five months.

Question. What has been the facility with which the operations of that department have been carried on?

Answer. They have been very much deranged.

Question. In what way and by what cause?

Answer. From fear of the draft, we can't get the desired information.

Question. How does the fear of the draft operate in that way?

Answer. It operates with the health-wardens, the men that have charge of this department, going around. The persons in the houses will not give the information, neither of the occupancy nor of the ownership of the property, in a great many cases.

Question. Is this the case when you state to parties what your business is?

Answer. Yes, sir.

Question. And that you are not connectd with the draft?

Answer. They did have authority and did explain; but a great many persons will not believe them.

Question. How is that difficulty in the eastern part of the city, where we now are?

Answer. It is very bad, sir, particularly where there are large tenement houses.

Question. Do you know the locality called Dutch Hill, in the neighborhood of Thirty-eighth and Thirty ninth streets, on First and Second avenues?

Answer. I know the place—yes, sir.

Question. What would you suppose were the facilities as to obtaining information of the residences of persons in that locality?

Answer. Very bad indeed.

Question. How long have you been connected with that department?

Answer. About five months.

Question. You have access to the recording department, of course?

Answer. I do, sir.

Question. What has been, for some years past, the general tendency of the population in the city?

Answer. It has been increasing.

Question. Increasing equably over the city, or in any particular locality?

Answer. Well, I think there is some difference, but not more up town than there is down town, certainly, if you take the lower wards; a great many persons are moving out of them and moving up town.

Question. It is fair to say that the population is increasing, especially in the upper wards?

Answer. Yes, sir.

Question. Has the present condition of prices and rents had any effect in crowding the population, so far as you know?

Answer. I presume it has.

Question. Where has there been, in your judgment, the greater increase of population—in the congressional district composed of the Ninth and Fifteenth wards, or in the congressional district composed of the Eighteenth, Twentieth, and Twenty-first wards?

Answer. I think those wards on the eastern side increase the most.

Question. Have you made any investigation as to the congressional vote of the city during the past year?

Answer. Yes, sir.

Question. Look at that paper and state whether that is a correct copy.

Answer. It is a correct copy as I took it from the manual of the common council. It is as follows:

Fourth congressional district:	vote of 1864	16,895
	vote of 1862	12,400
		4,495
Increase about 36 per cent.		
Fifth congressional district:	vote of 1864	17,616
	vote of 1862	11,720
		5,896
Increase about 50 per cent.		
Sixth congressional district:	vote of 1864	17,300
	vote of 1862	12,797
		4,503
Increase about 36 per cent.		
Seventh congressional district:	vote of 1864	17,295
	vote of 1862	12,314
		4,981
Increase about 41 per cent.		

Eighth congressional district:	vote of 1864	21,661
	vote of 1862	15,371
		6,290
Increase about 41 per cent.		
Ninth congressional district:	vote of 1864	15,344
	vote of 1862	11,422
		3,922
Increase about 30 per cent.		

Question. See if that paper is a correct statement of the vote of the election for governor when Seymour and Wadsworth were candidates.

Answer. To the best of my belief, it is. It reads as follows:

Eighteenth ward: Seymour, 3,327; Wadsworth, 1,803; scattering, 3. Twentieth ward: Seymour, 3,936; Wadsworth, 1,789; scattering, 13. Twenty-first ward: Seymour, 2,920; Wadsworth, 1,798; scattering, 4. Total, 15,593.

Question. See if that paper is certified by you.

Answer. Yes, sir.

Question. State the result of the computation.

Answer. I make an increase of 38 per cent. in the population from 1862 to 1864—that is, an increase of the vote of the eighth congressional district.

Brooks, member of Congress, eighth congressional district,	1864.....	21,661
Seymour, governor, vote of " " "	1862.....	15,593
		6,068
Increase 38 per cent.		

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                R.                B.
   62           64                62
12797    :    17300    : :     15593
                                17300
                              -------
                              4677900
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                12797 ) 269758900 ( 21079
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                           123110
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Raymond district: Fifteenth, Sixteenth, and Ninth wards. Brooks's district: Eighteenth, Twentieth, and Twenty-first wards.

Question. Look at that calculation again—if that is the increase of vote in the eighth congressional district between the years 1862 and 1864.

Answer. It was proportioned to that in the sixth district.

Question. What was the vote of the eighth congressional district in 1864?

Answer. Well, I may say over 21,079.

Cross-examined by Mr. PHELPS:

Question. You say your connexion with the sanitary department is such that it becomes your duty to inquire from house to house as to occupants?

Answer. That is the duty of my department.

Question. Was it your duty to discharge this personally?

Answer. No, sir; there were sworn officers who did the outside business.

Question. You don't do any outside business?

Answer. No, sir.

Question. Do you know what is the population of the Ninth ward?

Answer. I could not say, as the ward is not completed yet.

Question. Do you know what is the population of the Fifteenth ward?

Answer. No; none of the wards are entirely finished yet; it is not completed for 1864.

Question. Do you know the population for 1863?

Answer. There was no survey taken for 1863.

Question. Do you know the population of the Twenty-first ward for 1864?

Answer. I say there are none of the wards completed yet.

Question. Then what grounds had you for stating the increase of population in the congressional district?

Answer. I find that in comparing this year with 1861, (there was a survey taken in 1861;) comparing it with what we have done, (certain streets have been entirely completed,) I find by inquiry, and judge from that, and I think it is a very fair criterion also.

Question. Will you tell me what street in the Fifteenth ward was completed?

Answer. No; I cannot tell.

Question. Will you tell me what street in the Ninth ward was completed?

Answer. I think it was Leroy street, and a number of streets in the Ninth ward were completed.

Question. How many inhabitants were there in any one year in Leroy street?

Answer. I don't recollect now, sir.

Question. What street in the Twenty-first ward or in either of the wards composing this eighth congressional district was completed, so that you knew the number of the population in it?

Answer. In the Eighteenth?

Question. In either the Eighteenth, Twentieth, or Twenty-first?

Answer. There were five or six streets that I compared.

Question. Which street did you compare in this eighth congressional district—with which street—with any other street in the congressional district composed of the Fifteenth and Nineteenth wards?

Answer. I really don't recollect now; I did this some time since; I was examining the books, and looked to see how my predecessor did the business, and that caused me to do it, and also curiosity to ascertain whether there was an increase or not.

Question. You cannot, then, give me any data on which you based your calculations of the increase in the eighth congressional district, that composed of the Fifteenth and Ninth wards, was greater than that composed of the Eighteenth and Twenty-first wards?

Answer. I made my examination inside of four months.

Question. What examination did you make?

Answer. I compared what work was finished with what had been finished in 1861.

Question. I don't believe, Mr. Traver, you understand me; you said that the increase in the congressional districts composed of the Fifteenth and Ninth

wards was greater than the increase of population in the Eighteenth, Twentieth, and Twenty-first wards.

Mr. ANTHON. Just the reverse.

Mr. PHELPS continues:

Question. Well, the reverse of the figures did you get?

Answer. This increase was in the voting population; that I got from the manual.

Question. You have no knowledge of the increase of population except as derived from these sources?

Answer. I know the increase in tenement houses, but the number and data I cannot give.

Question. What I say is, the only data you have for telling an increase of population in the one district which is a more rapid increase than the increase in the other district, is that derived from the number of votes?

Answer. I don't understand that question.

Question. How do you know that the increase in the eighth congressional district, in population, was greater than the increase in the district composed of the Fifteenth and Ninth wards?

Answer. I know it by reading the official report of the board of councilmen.

Question. Simply by the vote you calculated the increase of population?

Answer. I said by comparing what work I have done with what was done in 1861.

Question. Now, I want to know what comparison it was—how you made the comparison.

Answer. Well, it is some time since; I don't recollect,

Question. Well, you can't remember the figures, but how did you do it? Did you take one street with another, or how?

Answer. I took the whole ward first of 1861.

Question. Which ward?

Answer. The whole Eighteenth ward; and it is composed of twenty-six streets, and we have got part of six streets finished in the ward, and those six streets now are some 16,000.

Question. That is in the Eighteenth ward?

Answer. I think it is the Eighteenth ward.

Question. Then you have ascertained that the Eighteenth ward, in six streets, has increased by a certain number.

Answer. I think so; well, in fact, I am positive it has increased, but how much I can't say accurately.

Question. Now, having obtained this increase, what do you do to compare it with Mr. Raymond's district?

Answer. I did not figure up the population; I figured from the voting population.

Question. Then the only knowledge you have of the population is derived from the statistics of voters?

Answer. That is the complete knowledge; yes, sir; because the work that has been commenced, and I have charge of, is not finished.

Question. So that the result to be obtained from that would be incomplete, because the work is incomplete?

Answer. As far as it goes, it will show a very large increase, undoubtedly.

Question. This Dutch Hill, where is it situated?

Answer. In Second avenue.

Question. How is it bounded?

Answer. I cannot give the boundaries of it.

Question. Do you know how many stone or brick buildings are there?

Answer. I don't know how many shanties are there.

Question. Then any of the statements you have made with reference to its population would be derived from a very general information?
Answer. From whatever I would see in my office on my books.
Question. What do you remember to have seen in your office on your books?
Answer. I don't recollect of seeing anything at all.
Question. Is it put down on your books as Dutch Hill or Clare Hill?
Answer. I think it is Dutch Hill.
Question. You are sure it is not Clare Hill on your books?
Answer. I am not sure.
Question. Are you sure it is designated by either of the names?
Answer. We designate all those places in a special way.
Question. Is it designated by either of these names?
Answer. Don't know.

F. R. TRAVER.

Attest. A. D. RUSSEL, *City Judge*

John H. Barnstoff sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?
Answer. Corner of Thirty-first street and Second avenue.
Question. Did you vote at the last presidential election?
Answer. Yes, sir.
Question. Where did you vote?
Answer. Corner of Thirty-first street, right across the way from me.
Question. At Fitz Simmons's?
Answer. Yes, sir; in the third district.
Question. Did you vote for Mr. Dodge?
Answer. No, sir.
Question. Do you know Mr. Fitz Simmons?
Answer. Yes, sir.
Question. What is his character in that neighborhood as a citizen and a man?
Answer. A good character, so far as I know; can't say anything against him.
Question. How long have you known him?
Answer. A little over two years.
Question. Is he generally liked and esteemed in the neighborhood?
Answer. Well, I never saw anything wrong of him.

Cross-examined by Mr. PHELPS:

Question. Do you say that the general reputation of Mr. Fitz Simmons in that neighborhood is good; I don't mean what you think of him, but his general reputation?
Answer. I say I don't know anything wrong of him.
Question. I want to know his general reputation; whether you dare say his general reputation was good—that is, men speak well of him, as a general thing?
Answer. I don't hear anything wrong about him.
Question. You never heard any one speak ill of him?
Answer. Not to me.
Question. Or any one else?
Answer. Not as I heard.
Question. Then you do say that his general reputation is good?
Answer. So far as I know, yes.
Question. Why do you say, "So far as I know;" have you heard his general reputation is not good?

Answer. I say that I did not hear anybody say anything wrong against him, not to me.

Question. Did you hear anybody else say wrong against him?

Answer. No, sir.

Question. Were you there at the time of the riot?

Answer. I was there at the time of the riot; I was not there, but in my house.

Question. Were any shots fired from Mr. Fitz Simmons's house?

Answer. In the house?

Question. Yes, sir.

Answer. Don't know anything about the shots being fired, but I heard the next morning a man was found dead in the back-house.

Question. Did they say the man had died of apoplexy, or died of a shot?

Answer. That I don't know.

Question. You can't say whether this man died from natural causes that was found in the privy behind Mr. Fitz Simmons's house or not?

Answer. All I heard was, that they found him back in the yard.

Question. Did you ever hear him say that they found him dead?

Answer. I never heard him say anything about it.

Question. Did you ever ask how he was killed?

Answer. I did not ask anything about that.

Question. Were you ever told how he was killed?

Answer. No, sir.

Question. Then you heard this man was found dead there, and that is all?

Answer. I heard he was found dead there, and that he was shot, and I did not see the man.

Question. Did you ever hear that Mr. Fitz Simmons had anything to do with bounty-jumpers?

Answer. Not that I know of.

Question. If you heard you would be likely to recollect, would you not?

Answer. Of course I would.

Question. If you have never heard anything against Mr. Fitz Simmons, can't you say that his general reputation is good?

Answer. Well, I don't say I heard anything against him.

Question. Well, if you have not heard anything against him, why are you not willing to swear that his general reputation is good, because general reputation is made up more by what we hear of a man, by general report. If we have never heard ill of a man, it is generally good. Now, I want you to swear that his general reputation is good if you can.

Witness pauses.

Question. I ask the question, can you swear that this Fitz Simmons's reputation is good?

Witness pauses.

Question. Are you willing to swear that Mr. Fitz Simmons's general reputation is good?

Witness makes a long pause.

Mr. PHELPS. I want you to answer yes or no, because it is susceptible of such an answer.

By the JUDGE:

Question. Do you understand the question?

Answer. Well, I understand it.

Question. Then why don't you answer it? You say you never heard any ill of him; that you know no ill of him; then it is a very easy matter to answer the question without keeping us waiting here. What do you answer, sir?

Witness makes a long pause.

Mr. PHELPS continues:

Question. You can either answer yes or no, or decline to answer.
Witness pauses.

By the COURT:

Question. What do you answer, sir?
Answer. Well, I won't swear to that.

By Mr. PHELPS:

Question. I can't take that; I must have either yes or no.

By the JUDGE:

Question. Will you answer yes or no, or decline to answer?
Answer. What is the question?

By Mr. PHELPS:

Question. Whether you are willing to swear that this Fitz Simmons's general reputation is good?

By the JUDGE: It has been explained to you what general reputation means—what people say of him.

By Mr. PHELPS:

Question. Mr. Barnstoff, you must answer yes or no, or decline to answer; what do you answer?
Witness makes a pause.
Question. Do you decline to answer, Mr. Barnstoff?
Answer. I decline to answer.

J. H. BARNSTOFF.

Attest: A. D. RUSSEL, *City Judge.*

John McGowan sworn.

Examined by Mr. WATERBURY:

Question. You were one of the inspectors of the seventh district, Twenty-first ward, at the last presidential election?
Answer. Yes, sir.
Question. Did you vote in that district?
Answer. Yes, sir.
Question. Did you vote for Mr. Dodge?
Answer. I think not.
Question. Did you vote the entire democratic ticket?
Answer. I did.

Cross-examined by Mr. PHELPS:

Question. Are you sure for whom you voted for member of Congress, or is it simply your impression?
Answer. I am sure in this way only—of taking a set of tickets out of a basket, at Mr. McCabe's, on the night previous to the election and put them in a little India-rubber ring, and put them in my vest-pocket and kept them there until the middle of the day, and then I handed them to one of the inspectors and he distributed them and put them in the ballot-boxes.
Question. Did you know what tickets you had for member of Congress?
Answer. I think I had the whole democratic ticket.
Question. Which would that be, the ticket for Mr. Barr or Brooks?

Answer. I would not say whether it was Brooks or Barr who was the candidate there, but I have asked some gentlemen since that, and they told me it was Mr. Barr's ticket.

Question. Then you think now you voted for Mr. Barr?

Answer. I think so.

Question. You have no knowledge, except from the evidence of parties whom you have asked subsequently, as to what tickets were in the bundle?

Answer. I was under the impression it was Brooks's, until I was told the Barr ticket was in that basket. I took the full set out of that basket and put it in my vest-pocket.

Question. Are you sure that no one put in a ticket of Mr. Dodge?

Answer. No, I am not.

Re-examined by Mr. WATERBURY:

Question. This Mr. McCabe's, where you got this set of tickets, is a democratic house?

Answer. The democratic headquarters.

Question. Have you any reason whatever to suppose that it was other than a democratic house?

Answer. Not at all.

JOHN McGOWAN.

Attest: A. D. RUSSEL, *City Judge.*

Robert Macklin sworn.

Examined by Mr. WATERBURY:

Question. Did you hold any office in connexion with the election at the last presidential election in November?

Answer. Yes, sir.

Question. What was it?

Answer. Poll clerk.

Question. By whom were you appointed?

Answer. I got my appointment from the police commissioners.

Question. What district?

Answer. The thirteenth.

Question. In what ward?

Answer. The Eighteenth.

Question. Were you sworn?

Answer. Yes, sir.

Question. What time did you get to the polls in the morning?

Answer. It was before it was opened; I don't recollect the hour now.

Question. What time did the polls open?

Answer. I don't recollect that; it was dark, I think.

Question. Who were the inspectors there?

Answer. Mr. Jenny, Mr. Connelly, and Mr. Hargin.

Question. Who was chairman?

Answer. Mr. Jenny.

Question. In what manner did Mr. Jenny conduct the election in respect to promptness, despatch, or otherwise?

Answer. It was very slow.

Question. What impression did it make upon your mind at the time?

Answer. I don't know how to answer that question.

Question. Did he appear, from his action, to design to expedite the vote, or otherwise?

Answer. No; he appeared to prolong it.

Question. What do you mean by prolonging it?

Answer. Delaying the voting.

Question. State whether the election was peaceably and orderly conducted or otherwise.

Answer. It was peaceably conducted. There was a good deal of talking—that was all.

Question. There was no violence or anything of that kind?

Answer. No, sir.

Question. Was there any intimidation whatever toward the inspectors?

Answer. There was a good deal of talking, but nothing further than that.

Question. What sort of talking?

Answer. I don't remember now; my impression is that "he ought to be punished, this man, for delaying the voting."

Question. They said he ought to be punished?

Answer. They said that he ought not to have any such position, and was not fit for it.

Question. Am I to understand you that the talking consisted of complaints, or threats?

Answer. It consisted of complaints, and I don't think that you could call it threats.

Question. He ought to be punished; was that a complaint?

Answer. It consisted of complaints.

Question. Was there any violence attempted there at any time?

Answer. Not that I heard.

Question. Did you hear Mr. Connelly say anything to Mr. Jenny during the day in relation to the manner in which he conducted the election?

Answer. He complained of his being slow; that he was not fit for the position; that he should never consent to his being appointed as chairman if he had known it; it was only on account of his age that he consented to it.

Question. Who were inside of the railing during that election, during the day?

Answer. The poll clerks and three inspectors.

Question. Any other persons, or any other person, inside of the railing other than the three inspectors and two poll clerks?

Answer. At the time Mr. Hargin went out, Mr. Connelly called me to act as inspector, and I think Mr. Connelly called the keeper of the house, Mr. O'Connor, to take my place.

Question. He acted as poll clerk, then, for a little while?

Answer. Yes, sir; it was only for a short time, however; I guess he only wrote four or five names.

Question. Was the republican poll clerk acting at the same time?

Answer. Yes, sir.

Question. What was his name?

Answer. Nicholson.

Question. With the exception of Mr. O'Connor, no other person wrote during the day?

Answer. No other person.

Question. How was it that the canvass was made—by whom?

Answer. There were three regularly appointed canvassers; in the absence of one of them, Mr. Hargin was appointed by the other two.

Question. Did Mr. Connelly, Mr. Hargin and Mr. Lyst act as canvassers?

Answer. Yes, sir.

Question. What did you and the other poll clerks do?

Answer. Took the tallies.

Question. Were the tallies as you kept them the same as the result, as afterwards announced?

Answer. From what I recollect now they were.

Question. You know of no alteration?

Answer. No, sir.

Question. Did any other person than the three canvassers handle the votes during the canvass?

Answer. No, sir.

Question. Who made the number of votes agree with the votes of the poll-lists?

Answer. We all assisted.

Question. The inspectors and clerks?

Answer. Yes, sir; I believe towards the morning Mr. Baird came in there, and after we counted them all, he looked over them too.

Question. Was that before or after the work was finished?

Answer. Just before we had written it and got ready to put up the books.

Question. Was it after the vote was counted?

Answer. Yes, sir; and the poll-books were taken away.

Question. Was it after the proclamation was made?

Answer. Yes, sir, long after that.

Question. Who filled in the returns that were signed?

Answer. I think I did most of them; the other clerk did some.

Question. Were they filled in in accordance with the canvass?

Answer. They were filled in in accordance as the inspectors announced it.

Question. Did you see any fraud at any time during the election or canvass?

Answer. No, sir.

Question. So far as you are informed of the law, was the proceedings of the election and canvass in all respects according to law?

Answer. Yes, sir.

Cross examined by Mr. PHELPS:

Question. Were you there at the polling place in this thirteenth district all day and all night?

Answer. Yes, sir; all day and all night until six o'clock in the morning, except about half an hour I went to my dinner during the day.

Question. Did you say that Mr. Jenny seemed desirous to delay?

Answer. Yes, sir; I did.

Question. What grounds have you to suppose he delayed?

Answer. I had an idea it took about ten minutes to deposit a vote; it took about two minutes to call off the names, and when the names were written down, he would be longer than he ought to be to announce that they were down.

Question. If it took ten minutes to get in a vote, how long must the time have been to get in some five hundred votes that were taken that day?

Answer. I don't know; I could make no calculation.

Question. Would it not take very nearly a week?

Answer. I don't know.

Question. How many would be taken in an hour, at ten minutes to each vote?

Answer. I have never calculated that.

Question. I shouldn't think it would take but little calculation.

Answer. Some were longer and some shorter.

Question. Did you see Mr. Jenny do anything which he ought not to do?

Answer. No, sir.

Question. Did you hear him ask any questions which he ought not to according to law?

Answer. He was longer in doing it than an active person.

Question. Then your only reason was the fact that he was slow?

Answer. Yes, sir; slow, and intentionally slow.

Question. What reason have you for saying that he asked any questions which he ought not according to law?

Answer. None, sir.

Question. What intention do you suppose he had for delaying, aside from the fact that he did delay. Have you any other reason for supposing that he desired to do it other than from the fact that he did delay?

Answer. That is about the reason.

Question. You state that there were expressions of dissatisfaction from the crowd at his slowness?

Answer. Yes, sir.

Question. Were those frequent?

Answer. Yes, sir; very frequent.

Question. Were they loud?

Answer, Yes, sir; very loud.

Question. Were they in any cases abusive?

Answer. Yes, sir; they were in some cases.

Question. Did you hear any one threaten to pull the old man over the counter?

Answer. No, sir; I don't think I did.

Question, Did you hear any threats addressed to the old gentleman?

Answer. No, sir; I don't remember, only that he ought to be punished; that it was no place for him; he was not fitted for it; and that he was intentionally appointed there for the purpose of delaying votes.

Question. But you can recall no threats uttered about pulling him over the counter?

Answer. No, sir.

Question. Did you hear Mr. Connelly threaten him at all?

Answer. I heard him swear at him very frequently.

Question. Did you hear him say that he would break his head?

Answer. No; I don't think I did hear that.

Question. Did you hear words to that effect?

Answer. No; I don't think I did.

Question. Can you recall none of the words or threats used by Mr. Connelly to Mr. Jenny?

Answer. I can recall some of the language he used towards him, swearing,

Question. Will you state that, if you please.

Answer. He used the term, a damned son of a bitch, I think.

Question. Was not Mr. Connelly's conversation, throughout the day, abusive of Mr. Jenny, and profane?

Answer. Yes, sir; it was profane,

Question. Was it not abusive?

Answer. You could call it abusive; if it was to me, I would call it abusive.

Question. What did Mr. Jenny do in answer to these threats?

Answer. He said he was doing his duty; he said he would die there in doing it.

Question. Then you saw nothing in Mr. Jenny's conduct which met with your disapproval, except the fact that he was too slow?

Answer. That was all.

Question. Was there any liquor at the polling place during the day?

Answer. This was a liquor store, you know.

Question. Was liquor sold there during the day?

Answer. I don't know outside; there was one glass of ale drank by Mr. Connelly; he said he had no dinner, and he was dry and wanted something.

Question. Who was the proprietor of this place?

Answer. Mr. O'Connor.

Question. Do you not know that liquor was sold at his bar during the day?

Answer. No, sir; I do not.

Question. You saw no liquor, except that glass of ale?

Answer. No, sir; that is all I saw.

Question. During the night of the canvass was there no liquor drank?

Answer. Yes, sir; by the canvassers and clerks; we had nothing to eat all day except some oyster stews, I think.

Question. Do you recollect what time you canvassed the congressional ticket?

Answer. First, we took up the presidential, and then the State, and I guess the congressional came next.

Question. Did you hear any remarks about double ballots found in the congressional box?

Answer. No, sir; I don't know that there were any double ballots found; I never heard of it.

Question. What time were the returns signed by the three inspectors of canvass?

Answer. I left there just before 6 o'clock; it must have been half an hour before I left.

Question. Were the returns signed in blank or in full at the time they were signed?

Answer. Signed in full. You mean the blank returns? I thought you were referring if they were rolled up.

Question. Yes, sir.

Answer. They were signed a couple of hours before I left.

Question. Were they signed in blank?

Answer. All filled out before they were signed.

Question. Are you sure of that?

Answer. Yes, sir; I am pretty sure of it, because I filled them out myself and handed them to the canvassers, and they all three signed it together.

Question. Were there some other returns which you did not fill out which were signed?

Answer. I think there were.

Question. Did you fill out the congressional returns?

Answer. Yes, sir; I remarked something about its being short at the time—the others were so long.

Question. At the time these returns were signed did the poll-lists and tallies correspond?

Answer. I think they did.

Question. Do you remember?

Answer. I don't remember they did not; it is my impression now they did.

Question. Why, then, did Mr. Baird have to take the books to make them correspond, or why did he take them?

Answer. You ask, before the returns were signed?

Question. I mean when the first returns were signed.

Answer. I believe there was only one return signed; there were no returns but one signed. What do you mean by first returns?

Question. I mean that there were a number of returns, and we have a testimony that some of them were signed in blank, and that afterwards an effort was made to make the poll-list; then it was found they did not correspond, and Mr. Baird came in, and they were made to correspond. I want to know about your recollection on these points.

Answer. I recollect Mr. Baird came in and assisted us in counting them—in adding the poll-lists and comparing them with the returns.

Question. If they corresponded with the returns, the poll-lists and the tallies, what need was there of Mr. Baird's assistance to make them correspond?

Answer. I think there was some variation between the poll-list and the re-

turns, or the poll-list and the tallies, I don't know which—the poll-list and the tallies I guess it was.

Question. Then it is now your opinion, after more thought, that at the time the returns were signed there was not a perfect correspondence between the tallies and the poll-lists?

Answer. I think that is so.

Question. What time did Hargen leave?

Answer. He left about half an hour, or maybe an hour, before I did.

Question. Had this correspondence been made between the tallies and poll-lists?

Answer. I don't remember that.

Question. Do you remember what he said when he withdrew?

Answer. I think he said the others could attend to it; it would not be necessary for him to be there; he was tired and ought to go home.

Question. Did he go out alone, or did one of the other canvassers go out with him?

Answer. I think he went out alone.

Question. Did he return that morning before you left?

Answer. I don't think he did.

Question. Did you see a man named Owens in the crowd in front of the boxes?

Answer. Yes, sir.

Question. Did you hear Mr. Owens use threatening language to Mr. Jenny!

Answer. His language was about the same as Mr. Connelly's—that is all he used—a good deal of the same sort.

Question. Can you recall any one of the words which Mr. Owens used?

Answer. No, sir; I could not recall anything.

Question. How many votes—taking the ordinary delays of election, delay for soldiers' votes, and swearing in men not upon the register—how many votes ought to be polled?

Answer. I don't know anything about it. It is the first time I have ever been in such a position, and I don't know any more about the business than the man in the moon.

Question. Then the only reason for thinking it was slow, was these statements made by others?

Answer. No; I thought they could be got along much quicker; he was too slow.

Question. You never acted, you say, as inspector before?

Answer. No, sir, neither as poll clerk, inspector, or anything connected with the election, before.

Question. Did you see any parties who had soldiers' votes who were refused!

Answer. Yes, sir, there were some.

Question. Do you remember what Connelly said to either or any of them when he refused them?

Answer. No, I don't remember what he said.

Question. Do you remember that he refused them?

Answer. I don't remember that he refused them.

Question. Then you don't remember that any soldiers' votes were refused?

Answer. I don't remember that any of the inspectors refused the soldiers' votes; I think Mr. Owens said that it caused too much delay, and asked them to step aside; there was a lot in waiting and they could not wait; they wanted to get to their work.

Re-examined by Mr. WATERBURY:

Question. From what was said in regard to these soldiers' votes by Mr. Owens and others, did you form an opinion that they were democratic votes?

Answer. Yes, sir, they were all democrats there.

Question. And that the holders of these votes stepped aside in order not to delay the voters?

Answer. Yes, sir, at the request of Mr. Owens; he is the only person I now recall that requested them.

Question. When you speak of Mr. Jenny being slow, how was his habit in regard to putting questions? Did he repeat the same question over, or ask substantially the same question the second time?

Answer. Yes, sir; that was the impression I had then.

Question. Was that the occurrence?

Answer. That is the occurrence.

Question. Was it the repetition of questions that led to the opinion in your mind of his intention?

Answer. Yes, sir, and the slow way of putting the questions—deliberate.

Question. Did he sometimes pause between his questions?

Answer. Yes, sir; I don't remember distinctly about it.

Question. When you say ten minutes to a vote, do you mean to say he was ten minutes to each vote, or ten minutes on the average, or occasionally took ten minutes to a voter?

Answer. I say that on the average—sometimes quicker than others.

Question. Don't you think he took more than sixty votes during the day?

Answer. O, yes, more than 500; about 500, or a little under 500, I think we counted.

Question. How many would that be an hour?

Answer. I am mistaken there, I guess. I thought so——

Question. Did you form that opinion from the calculation of the time or strong impression left upon your mind upon Mr. Jenny's slowness?

Answer. From the impression of his slowness;-I did not think about the time; I thought he was very slow; I said to other persons that it took as much as fifteen minutes to take a vote; I don't refer to the soldiers, but in the registry of the voters.

Question. I now ask you to think, and then say whether it was ten minutes to each voter, or ten minutes on the average, or occasionally it took ten minutes, to a voter.

Answer. Of course he was quicker than ten minutes; he did not take as long as that to every vote; towards the last they pushed him along a little quicker, and he was not so slow.

Question. How was it when the polls closed; were there many persons waiting to vote?

Answer. The room was full, and there were at least fifty on the outside.

ROBERT MACKLIN.

Attest: A. D. RUSSEL, *City Judge.*

John McGowan recalled.

Examined by Mr. WATERBURY:

Question. Do you know Mr. Fitz Simmons, who was a canvasser in the third district?

Answer. I do, sir.

Question. How long have you known him?

Answer. Ever since he has lived there.

Question. About how long is that?

Answer. Three or four years, I guess.

Question. Will you tell me what his character is among his neighbors?

Answer. Good, sir; I never heard his character brought in question.

Cross-examined by Mr. PHELPS:

Question. You never heard of his being arrested?

Answer. Never did, sir.

Question. You never heard of his being to Elmira to get off a bounty-jumper?

Answer. Never did, sir.

Question. Have you been very intimate with Mr. Fitz Simmons?

Answer. Not at all, sir.

Re-examined by Mr. WATERBURY:

Question. What is your business?

Answer. Engaged in the court of special sessions in serving subpœnas.

Question. Do you know Mr. Stephen Gehegan, who lives in this ward?

Answer. I do not know him.

JOHN McGOWAN.

Attest: A. D. RUSSEL, *City Judge.*

James Owens sworn.

Examined by Mr. ANTHON:

Question. Were you at the polling place of the thirteenth district, Eighteenth ward, on the last annual election?

Answer. Yes, sir.

Question. The one where Mr. Jenny was chairman, and Mr. Connelly was one of the inspectors?

Answer. Yes, sir.

Question. Did you use any violence to Mr. Jenny on that day?

Answer. No, sir; I was not near enough to him.

Question. Did you make any threats of violence towards him?

Answer. No, sir.

Question. Were you guilty of very great violence and disorderly conduct, tending to breach of the peace, on that occasion?

Answer. No, sir; the polls were full of policemen on that day, standing around there; if I was guilty, and did anything of that kind, I suppose they would have arrested me.

Question. You neither committed nor threatened any violence?

Answer. No, sir; I spoke harsh to him on account of his delaying votes.

Question. On what account did you speak harsh to him?

Answer. Because I saw him purposely calling men's names over twice. A man would say, "William Murphy," and he close alongside; and Jenny would say, "I don't understand you; what is your name, again; William Murphy?" and then make a pause and say again, "William Murphy;" and then make another pause and say, "Where do you reside, Mr. William Murphy?" He would tell him; he would say such a number and so on, putting these questions over to him two or three times.

Question. On that account you remonstrated pretty energetically?

Answer. Yes, sir; I saw him several times during the day do the same thing. I remonstrated with him about it, and also Mr. Connelly. Mr. Connelly held one register list, and Mr. Hargin held the other. Sometimes he would not take the word of Mr. Hargin, and Mr. Connelly would want to see the register himself He would reach over and leave the vote there, and take the book and look at it himself.

Question. Was that the whole conversation? I mean the substance of it.

Answer. I was there, in and out, all day long. I called him an old hypocrite

or old reprobate, or something like that; that he done it purposely, and that I believed at the time.

Question. In consequence of his doing it purposely and delaying votes, was the entire district polled?

Answer. No, sir.

Question. How many were left desirous of voting who could not do it; about how many?

Answer. All of a hundred or more, who were in line at the time the polls were closed, ready to vote.

Question. You are familiar with the elections of the city of New York?

Answer. Yes, sir.

Question. Do you think by propriety and promptness that the entire vote might have been polled and yet fair opportunity be given for challenging and for the examination of voters, so as to make a fair vote?

Answer. Yes; I think it could, and more.

Cross-examined by Mr. PHELPS:

Question. What is the largest number of votes that have ever been polled in this city in a day?

Answer. I cannot tell, but I remember in one district, in one ward that a thousand votes had been polled there—a thousand odd.

Question. What district?

Answer. The tenth of this ward—the Eighteenth. It is now divided into three districts, which comprise the fifteenth, twelfth, and thirteenth districts.

Question. Do you remember what election it was?

Answer. A mayoralty election, I think it was.

Question. How many years ago?

Answer. I know Fernando Wood was candidate. Who was running against him I don't know. I think it was in '59 or '57; it might be prior to that.

Question. Do you remember, when you were expostulating with Mr. Jenny, ever threatening to pull him over the counter?

Answer. No, sir; I never made use of such language. I know better than that.

Question. Did you lay hands on any man who was offering soldiers' votes, half in jest and half in earnest, and pull him away?

Answer. I did outside of the polling district, and sometimes into the polling place—men that I was acquainted with. I did not pull them away.

Re-examined by Mr. ANTHON:

Question. What did you do with regard to men offering soldiers' votes?

Answer. Well, some of those men had three or four soldiers' votes, and I brought one man in purposely to show that when a man was voting a soldier's vote, the delay which this Mr. Jenny took in putting in soldiers' votes, it took so long a time, together with the questions he asked about where the man resided, how long he knew him before he went to the war, where he boarded, that this man said he would not put in any more votes. I told another man it took too long. It was a wet day, and the voters were standing a long way around the corner, some two hundred feet, in a line. I merely asked as a matter of favor, because they were delaying the men there who could not come up to vote.

Question. Have you any idea, or how distinct is it, of what party the soldiers' votes belonged to?

Answer. I should judge, from the parties who sent them to the polls to deposit them, that they were democratic votes.

Question. So that your object was to poll a fair resident vote of the district?

Answer. That was the only object I had.

JAMES OWENS.

Attest: A. D. RUSSEL, *City Judge.*

John McIntyre.

Examined by Mr. ANTHON:

Question. You were a patrolman of the Metropolitan Police at the time of the election in November last?

Answer. Yes, sir.

Question. Where were you stationed on that election?

Answer. In the thirteenth district, Eighteenth ward.

Question. What was the manner of that election as to its peace and order?

Answer. Very quiet.

Question. Did you see any disturbance there?

Answer. No, sir.

Question. Anything that required police interference?

Answer. No, sir.

Question. Were any complaints made you by inspectors or other officers of election for interference?

Answer. Only to keep people from making a noise, so that they could understand the taking of the votes.

Question. That you did when required?

Answer. Yes, sir.

Question. There was no violence attempted or threatened?

Answer. No, sir. There was a great crowd of men. I was stationed to keep them in routine outside.

Cross-examined by Mr. PHELPS:

Question. You were stationed at the door?

Answer. Yes, sir; inside and outside of the door—every place where I was needed.

Question. Did you know which one of the inspectors it was who asked you to keep them still? Do you know the names of the inspectors there?

Answer. I know Mr. Jenny.

Question. Did he ask you?

Answer. Yes, sir; there were persons outside talking among themselves.

Question. How many times did he tell you?

Answer. Once or twice, probably.

Question. Did Mr. Connelly tell you, any time, to keep them quiet?

Answer. Yes, sir; he would say himself, "Gentlemen, make less noise."

Re-examined by Mr. ANTHON:

Question. You have been stationed at polling places before, Mr. McIntyre?

Answer. Yes, sir.

Question. In other elections you have been stationed at polling places?

Answer. O, yes.

Question. Is it at all unusual for inspectors to call upon you?

Answer. It is a common thing for inspectors to call upon the policemen.

JOHN McINTYRE.

Attest: A. D. RUSSEL, *City Judge.*

Thomas Igo sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 293 avenue B.

Question. Where did you reside at the time of the presidential election, last November?

Answer. In the same house, sir.
Question. Where did you vote—in the fifteenth district, Eighteenth ward?
Answer. In this district.
Question. At this corner?
Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. What is the number of your residence?
Answer. 293 avenue B.
Question. Did you vote at the December election?
Answer. I guess I vote at all elections—yes, sir.
Question. You voted both in November and December?
Answer. I did.
Question. Whereabouts here did you vote?
Answer. Right around the corner here at the polling place.
Question. Did you get any liquor here at Thompson's on that day?
Answer. No, sir; I am not in the habit of taking it.

THOMAS IGO.

Attest: A. D. RUSSEL, *City Judge.*

John Hart sworn.

Examined by Mr. ANTHON;

Question. You are a patrolman of the Metropolitan Police?
Answer. Yes, sir.
Question. How long have you been on the force?
Answer. Only nine months.
Question. Where were you stationed at the general election in November last?
Answer. Down here on this corner of the street—the tenth district, Eighteenth ward.
Question. How was the election conducted there as to its peace and order?
Answer. There was peace and good order.
Question. No disturbance of any kind?
Answer. Not to my knowledge. I was there the whole day; the time was limited to get our meals and get back as quick as we could.
Question. Was any breach of the peace either threatened or committed during the day?
Answer. No, sir; there was noise outside, out in the street, to get along a little quicker with the votes.
Question. There were complaints that the voting was too slow?
Answer. Yes, sir.
Question. Your directions from your captain, Mr. Hart, are to interfere when a breach of the peace is committed or threatened?
Answer. Yes, sir.
Question. You found no occasion to interfere?
Answer. No, sir.
Question. No arrests were made?
Answer. No, sir.

Cross-examined by Mr. PHELPS:

Question. Were you stationed inside or outside?
Answer. At the door, between inside and outside.

JOHN HART.

Attest: A. D. RUSSEL, *City Judge.*

Philip McDermot sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?
Answer. 249 East Fifteenth street.
Question. Did you reside there at the time of the last presidential election?
Answer. Yes, sir.
Question. How long have you lived there?
Answer. Twelve years; probably over.
Question. Are you an owner of real estate?
Answer. Yes, sir.
Question. Do you own that house?
Answer. Yes, sir.
Question. Did you vote at the presidential election in November last?
Answer. Yes, sir.
Question. It is put down in a paper in evidence here that there was no such man as Bartho Buffely residing at your house at the time of the last presidnetial election. Was there a man there at that time by the name of Matthew Butterly?
Answer. He resided there, in my basement.
Question. Where is he now?
Answer. Off to Tennessee; he left about three weeks ago.
Question. Do you know whether he voted?
Answer. Well, I expect he voted.
Question. Did he tell you he voted?
Answer. He did not, but I know he was to vote.
Question. Did he say he was going to vote?
Answer. Yes, sir; but he did not tell me afterwards whether he voted or not.
Question. Do you know a man by the name of John McPake?
Answer. Yes, sir.
Question. Where does he live?
Answer. 251 East Fifteenth street.
Question. Next door to you?
Answer. Yes, sir.
Question. Did he live there at the time of the last November election?
Answer. Yes, sir; he lived there about eight years, I think.
Question. Do you know a man by the name of Charles Boyle?
Answer. Yes, sir.
Question. Where does he live?
Answer. 255 East Fifteenth street.
Question. What Mr. Kelly owns that house?
Answer. His name is William Kelly; he owns the three.
Question. Which three—251, 253, and 255?
Answer. Yes, sir.
Question. Do you know whether McPake voted?
Answer. I gave Mr. McPake tickets to vote myself; I expect he put them in.
Question. Do you know Arthur Monegan?
Answer. I know him.
Question. Do you know that there is such a man in this district?
Answer. Yes, sir.
Question. What number does he live in Sixteenth street?
Answer. Could not tell his number; he has built a little place there himself; I don't know whether he has numbered it or not.
Question. Does a man by the name of Joseph Alcorn live in your house?
Answer. Yes, sir; he boards there; he has boarded there two or three years.

his
PHILIP × McDERMOT.
mark.

Attest: A. D. RUSSEL, *City Judge.*

Michael Geoghegan sworn.

Examined by Mr. ANTHON:

Question. Did you hear the testimony of Mr. Ranft in this case?
Answer. No, sir.
Question. You have been a conductor upon the cars?
Answer. Yes, sir.
Question. What line of cars?
Answer. Fourteenth street and Forty-second street.
Question. Do you know Mr. Fitz Simmons?
Answer. I do.
Question. In the habit of visiting his place?
Answer. A good deal; yes, sir.
Question. Do you know any other person named Mike, who has been a conductor on the cars, who is in the habit of going there?
Answer. I don't know that I do.
Question. Did you ever meet any Mike, who has been a conductor on that line of cars, at his place?
Answer. Yes, sir; I met one man by the name of Mike, who went in there.
Question. He used to be a conductor on the cars?
Answer. Yes, sir.
Question. What was his name?
Answer. Martin, I guess.
Question. Where is he?
Answer. I don't know.
Question. Have you seen him there at any time since the last November election?
Answer. I believe I have.
Question. When?
Answer. He used to come there occasionally.
Question. Did you ever have any conversation with Fitz Simmons, either on the morning after the election or a day or two after, in his store, on the subject of the election?
Answer. Well, no; not to my recollection; nothing any more than a talk over it.
Question. Do you remember of having any conversation with him when this Mr. Ranft, a German barber in the neighborhood, was in the room?
Answer. I have never seen the man in the store, except the day of election; I saw him outside; I never saw him in the place to my knowledge; he was not in the habit, I guess, of going into liquor stores.
Question. Did you ever hear Mr. Fitz Simmons say that he had taken ballots which were to be counted, and replaced them with ballots of democratic stamp?
Answer. I did not.
Question. Did you ever have any such conversation?
Answer. No, sir.
Question. Did you ever hear him suggest that idea in other words than those I have used?
Answer. No, sir.
Question. Do you remember the riots on the subject of the draft some time ago, in July?
Answer. Yes, sir.
Question. Do you know of any shots being fired from Mr. Fitz Simmons's house?
Answer. I do not, sir.
Question. Where were you at the time of the riot when the military passed up the avenue?

Answer. I was in the store.

Question. In Fitz Simmons's store?

Answer. Yes, sir.

Question. Could any shots have been fired from the upper part of that building without your knowing it?

Answer. I couldn't say; I was in the store and we saw the military coming up; me and Fitz Simmons and one or two others were in the store, and I told them, says I, "Now, shut the store up; you had better." He went and locked one door, and I locked the other and put out the light. When the military came to the corner, I couldn't exactly say how far they had gone past, when we heard them commence firing; I ran out into the hall-way, me and the bar-keeper; we got down on our knees to get away from the balls.

Question. Where was Fitz Simmons?

Answer. He was under the bar; so they commenced to charge on the door. I got out into the yard, and the bar-keeper; I got across the fence and the bar-keeper got across on one side; I was across on one side, and as the bar-keeper was getting away, I believe, he got shot in the leg; I got out and went away, and came down after they were all gone away, and I saw the place was all mashed up, and found a man was shot in the yard.

Question. When you went out into the yard and climbed over the fence, where did you leave Fitz Simmons?

Answer. In the store I left him; he stopped there; he thought nobody was going to interefere with him.

Question. What is the upper part of Fitz Simmons's house?

Answer. It is a tenement house; he occupied one floor himself.

Question. And the rest is let out to different persons and families?

Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. Did you stay with Mr. Fitz Simmons after the riot any time?

Answer. That night?

Question. Yes, sir.

Answer. I did not, sir; I went home.

Question. Do you know whether he was arrested that morning, or the next day?

Answer. He was arrested at that time.

Question. At the time the military were there?

Answer. Yes, sir.

By Mr. ANTHON:

Question. Arrested under the bar?

Answer. Yes, sir; they made a rush upon him.

By Mr. PHELPS, continuing:

Question. Did you ever hear a reason for making an assault on his place?

Answer. I heard say there were shots fired from the adjoining house, or adjoining houses.

Question. Why did they fire upon this house? Why did they single out Fitz Simmons's house?

Answer. I don't know, any more than they thought there were shots fired from the house.

Re-direct examined by Mr. ANTHON:

Question. Mr. Phelps has asked you why they singled out Fitz Simmons's house; had not you just said in your testimony that they fired upon that house; and upon the one adjoining?

Answer. Yes, sir.

Question. Then they did not single out Fitz Simmons's house at all, but fired at two houses?

Answer. I should think so; well, they fired into the next house, and fired into the windows.

Question. You know Mr. Fitz Simmons?

Answer. Yes, sir.

Question. How long have you known him?

Answer. About eleven years, I think.

Question. Do you live anywhere in his neighborhood?

Answer. We used to live in the one street. I live now in Thirty-fifth street.

Question. What is his general character and reputation among his friends and neighbors?

Answer. Of good character, so far as I know.

Re-cross-examined by Mr. PHELPS:

Question. What are you doing now?

Answer. I am inspector of the dumping ground.

Question. How long engaged there?

Answer. Pretty much all of the time there.

Question. How long since you were conductor?

Answer. After the State election I got off the cars; that is, the presidential election.

Question. This last presidential election?

Answer. Yes, sir.

Question. How long since Mike Martin left the cars?

Answer. I don't know how long it is now.

Question. Do you know what Mike Martin is doing now?

Answer. I couldn't say.

MICHAEL GEOGHEGAN.

Attest: A. D. RUSSEL, *City Judge.*

James E. McLarney sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 249 East Fifteenth street.

Question. Did you reside there at the time of the last presidential election?

Answer. Yes, sir.

Question. Who do you reside with?

Answer. My father.

Question. What is his name?

Answer. James McLarney.

Question. Have you a brother?

Answer. Yes, sir.

Question. What is his name?

Answer. Thomas P. McLarney.

Question. Does he reside with his father?

Answer. Yes, sir.

Question. Did you vote at the last November election?

Answer. Yes, sir.

Question. Do you know whether or not your brother voted?

Answer. He told me he voted at that election.

Question. Did you attend the polls during the day at that election?

Answer. Not at the November election. I merely remained about an hour and a half, just long enough to deposit my vote, and I then went down town.

Question. Was there a large crowd waiting to vote?
Answer. Yes, sir; quite a number.
Question. Was the voting very slow?
Answer. It appeared to be very slow, indeed.
Question. About what time in the day were you there?
Answer. I think I arrived at the polls about eight o'clock, and left about half-past nine.
Question. You say you were at the polls at the December election?
Answer. Yes, sir.
Question. What ticket were you there to support?
Answer. The ticket of the citizens' association.

J. E. McLARNEY.

Attest: A. D. RUSSEL, *City Judge.*

John A. Morschhauser.

(Mr. Phelps objected to the examination of this witness, on the ground that the requisite notice had not been given, and asked if his honor ruled that the name pointed out in the notice was the name of the witness. The judge ruled that the witness should be admitted.)

Examined by Mr. WATERBURY:

Question. Where do you reside?
Answer. 216 avenue A.
Question. Did you reside there at the time of the presidential election in the month of November last?
Answer. Yes, sir.
Question. Did you vote at that election?
Answer. Yes, sir.
Question. Who else lived in your house at the time of the presidential election and voted at that election?
Answer. Who voted I couldn't tell, but all the voters live there yet, since the last presidential election.
Question. Who are they?
Answer. I can't tell the first names of the men. One of them is Mr. Fox, another is Mr. Muller, another is Frederick Steigle, and another is John Merkley. He didn't vote, and Michael Lang and Jacob Messing, who all live in the house.
Question. For which of them is the name of Baltzar Segler meant?
Answer. For Steigle.
Question. What is his first name?
Answer. Frederick; although I would not be certain of that.
Question. Do you know Abram Propts, at 211 avenue A?
Answer. No, sir.
Question. Do you know August Swerleger, or Sweizer, at 214 avenue A?
Answer. Yes, sir; August Sweizer.
Question. Do you know John F. Hughbill. 214 avenue A?
Answer. Yes, sir; he lives one story high.
Question. How do you spell his name?
Answer. He is not a German, but a Scotchman.
Question. Is there a John Gladd there, or some name of that kind?
Answer. Yes, sir
Question. How do you spell his name?
Answer. Glaass.
Question. Do you know Joseph Farewell, at No. 214?

Answer. Yes, sir; I don't know that he lives there.
Question. Do you know Mr. Denzler, who lives at 224 avenue A?
Answer. Yes, sir.
Question. Do you know his first name?
Answer. I don't.
Question. How long have you known him?
Answer. Many years.
Question. Do you know Mr. Bonman, 222 avenue A?
Answer. No, sir; a man named Bolman used to live there, but he don't now.
Question. How long ago?
Answer. Three or four years ago.

JOHN A. MORSCHHAUSER.

Attest: A. D. RUSSEL, *City Judge.*

Adjourned till Saturday morning, April 1, 1865.

SATURDAY MORNING, *April* 1, 1865.

Daniel McGowan sworn.

Examined by Mr. ANTHON:

Question. Did you hold any position in reference to the reception and canvass of votes at the last general election?
Answer. Yes, sir; inspector ninth district, Twentieth ward.
Question. Where was the poll held?
Answer. In Seventh avenue, between Twenty-sixth and Twenty-seventh streets.
Question. Who were your fellow inspectors?
Answer. Andrew Ryan and McAdam; don't know his first name.
Question. What was the condition of the poll there during the day, as to its peace and order?
Answer. Peaceable and quiet.
Question. Was any violence offered or threatened to the inspectors during the day?
Answer. No, sir.
Question. Do you know Mr. Thomas E. Smith?
Answer. Yes, sir; he was there.
Question. What position did he hold at that poll on the day of election?
Answer. I know Thomas E. Smith; he held no position that I know of.
Question. Was he there during the whole day?
Answer. Pretty much all day.
Question. What was he engaged in doing during the day?
Answer. He challenged a great many votes there.
Question. Was there any violence offered to him?
Answer. He was ordered out; he was ordered to leave.
Question. State how that occurred.
Answer. He was looking over the books; he challenged them and put their names on the book properly, and challenged their names; that was rather too much, the inspectors thought, beyond his business.
Question. What did you tell him to do?
Answer. We told him he must leave, or stop challenging.
Question. Where was he?
Answer. Inside of our place.
Question. And you ordered him to leave that?
Answer. Yes, sir.

Question. That is, you told him to take his proper place outside?
Answer. Outside.
Question. He had no business inside?
Answer. He had no business there; he had no station there.
Question. Was any violence used to him?
Answer. No; nothing more than to tell him to leave. He was told to leave there and go outside among the spectators.
Question. That was the whole of that occurrence?
Answer. Yes, sir; as much as I know of it.
Question. There were no threats used with regard to him?
Answer. No, sir.

Cross-examined by Mr. PHELPS:

Question. Who requested Mr. Smith to withdraw?
Answer. The chairman of the inspectors; Andrew Ryan is his name.
Question. Did he request him more than once?
Answer. He did; he told him a couple of times, or three; he told him more than once.
Question. Did you say anything to him?
Answer. Nothing to him, to my knowledge.
Question. Mr. Ryan was the only one?
Answer. He was chairman of the inspectors, and, as a matter of course, master for that day.
Question. Do you know any law which forbids a resident of the district to challenge people, even if their names are on the register?
Answer. He can challenge them outside of the desk, but not inside. He entreated, I suppose, to come inside of the counter, which he had no business to do.
Question. You say he was there all day. What part of the day was he behind the counter?
Answer. In the morning.
Question. The rest of the day he was outside?
Answer. He was around the poll all day, pretty much.
Question. Was nothing said to him after he had withdrawn from inside the counter and went to the outside?
Answer. Nothing, that I remember.
Question. Did you hear Mr. McAdam tell him he had better withdraw, because it was not safe for him to remain?
Answer. I did not hear words to that effect expressed.
Question. Did you hear words of that kind expressed?
Answer. Not from any person.
Question. Did you hear him say anything to him?
Answer. He was spoken to all day, but I did not hear what.
Question. Were you appointed as the democratic or republican inspector?
Answer. Democratic inspector.

DANIEL McGOWAN.

Attest: A. D. RUSSEL, *City Judge.*

Thomas C. Benning sworn.

Examined by Mr. ANTHON:

Question. Your residence?
Answer. 181 East Twenty-first street.

Question. And your occupation?
Answer. I am one of the book-keepers in the gas office.
Question? Have you any other?
Answer. I have been a clergyman nearly forty years.
Question. Of what denomination?
Answer. Methodist.
Question. Do you know a man named Hargen?
Answer. Yes, sir.
Question. What is his first name?
Answer. Don't know; believe it is John R.; I don't recollect what it is now.
Question. What is the business of this Hargen? Do you know?
Answer. I believe he followed the upholstery when I first knew him; I think he has followed that business.
Question. Do you know if he has ever been an actor?
Answer. No, sir.
Question. How long have you known him?
Answer. Several years; I do not recollect how long.
Question. What is his character?
Answer. Don't know. From the reports I have heard of him and what I know of him, it is not good.
Question. What is his popular reputation?
Answer. Not good.
Question. Do you know anything of his history?
Answer. No, sir.

Cross-examined by Mr. PHELPS:

Question. You are employed in the gas office; here, or at the manufactory?
Answer. At the corner of Fifteenth street and Irving Place.
Question. When did you first become acquainted with Mr. Hargen?
Answer. Can't tell you; I have passed his place; I have been in the gas office nine years, and I have passed his office many times.
Question. Where have you had intercourse with him?
Answer. At his place in Third avenue, where he had a place of business.
Question. You have applied to him for upholstery work?
Answer. Yes, sir; I applied for him to do it.
Question. Who have you heard speak against Mr. Hargen?
Answer. I have heard persons who lived in the same neighborhood.
Question. Can you give me the name of one now?
Answer. I would not pretend to give the names; it is a general report; the way I come to speak of the man is under two circumstances. He was janitor, I believe, to some establishment down town, and the gas bill was in his name, or in their names; he collected the money and would not pay it to the office, and they had to cut the gas off; then I got track of the man and found he was unreliable, and found he was such from his neighbors.
Question. Then the most you know is derived from the fact, or the first intimation you had of his bad character was that he did not pay his gas bill incurred by some association?
Answer. I had other dealings besides.
Question. What other dealings?
Answer. I employed him to do some work, which he agreed to do in three days, and he didn't do it for three months; at least delayed to do it until compelled by a policeman.
Question. You cannot give me the name of a single party who has spoken against him?

Answer. No, sir; it seemed to be the general sentiment that he was a bad fellow.

Question. You can't recall a single person?

Answer. I can't recall that they said so.

Question. Can you give a single act alleged that he committed that was criminal or wrong?

Answer. They said he would not pay his rent, and they had to turn him out.

T. C. BENNING.

Attest: A. D. RUSSEL, *City Judge.*

William H. Jordan sworn.

Examined by Mr. ANTHON:

Question. Your business, if you please?

Answer. Clerk.

Question. With whom?

Answer. James Grower, 72 Duane street.

Question. Do you know Jeremiah J. Kelly?

Answer. Yes, sir.

Question. Was he at any time an officer in the volunteer service?

Answer. Yes, sir, lieutenant in the 17th New York volunteers.

Question. Were you present when that affidavit (producing affidavit of J. J. Kelly annexed hereto) was sworn to before Judge Brady?

Answer. Yes, sir.

Question. Who was the person who swore to that affidavit?

Answer. Mr. Kelly.

Question. The same person who was in the United States service in the 17th New York volunteers?

Answer. Yes, sir, the same party.

Question. You attended there for the purpose of identifying him, if need be?

Answer. Yes, sir.

Question. Where is Mr. Kelly now?

Answer. I believe he is down at Oil City; in the oil regions somewhere.

Question. Did he leave immediately after the execution of this affidavit?

Answer. He told me he intended to leave that evening or the next morning early.

Question. And you suppose he did so?

Answer. Yes, sir, and I have not seen him since.

Cross-examined by Mr. PHELPS:

Question. How long have you known Lieutenant Kelly?

Answer. I suppose I have known him very nearly eighteen months, or something like that.

Question. If he was away in the army at that time, how could you have made his acquaintance?

Answer. He was not away in the army; he resigned.

Question. More than eighteen months ago?

Answer. Don't know exactly the time; it was some time last summer he resigned and came home; but I knew him before he went away with the regiment by his being at the recruiting office in Broadway.

Question. Do you know anything about his character, about his previous standing?

Answer. Nothing at all.

Question. How happened you to get acquainted with him?

Answer. The colonel of the 17th New York was the son of the gentleman who employs me, and I very often was in and out of the headquarters in Broadway; it was around the corner; it is there where I made his acquaintance.

Question. You don't know whether he was a married man, or what he had been doing?

Answer. I understood he had boarded in Brooklyn before he went to the war.

W. H. JORDAN.

Attest: A. D. RUSSEL, *City Judge.*

William A. Boyd sworn.

Examined by Mr. WATERBURY:

Question. Were you inspector of the third district, Eighteenth ward?

Answer. Yes, sir; inspector and canvasser.

Question. Of what politics were the other two inspectors?

Answer. Republican.

Question. How many votes were polled there that day?

Answer. I think there were about 700 and odd.

Question. As many as 750?

Answer. About that, to the best of my recollection.

Question. Do you know how many were on the register?

Answer. Can't say for certain; I was not register clerk, and didn't know about the register.

Question. Were there as many as 600?

Answer. Yes, sir, there were.

Question. Were the number of votes taken that day taken without difficulty?

Answer. Yes, sir, every vote was taken that was there; there was not a man remaining at the polls when the polls were closed.

Question. And the election was conducted orderly?

Answer. There was no difficulty whatever.

Question. And time given for the examination to see if every man was registered?

Answer. Yes, sir.

Question. Were any votes polled of persons who were not registered, without verification of the residence required by law?

Answer. Yes, sir.

Question. How many of those cases were there?

Answer. Two that I recollect—persons I knew. One of them, Tracy, who resided formerly in East Twenty-third street, and then resided at Spingler House; and another, Western, who had just returned from the war, and whose name was not on the register, and his vote was put in. I ascertained, afterward, that his name was not on the register, and he went away without putting in an affidavit.

Question. Were there more votes polled of those who were not on the register, and who were not identified by householders?

Answer. I think there were one or two others, but cannot remember the names.

Question. Did you object to the reception of those votes?

Answer. I did.

Question. Did the republican inspectors overrule you?

Answer. Yes, sir; they overruled me by pushing the votes in; I protested against it.

Question. Were you canvasser also?

Answer. I was canvasser.

Question. Appointed as canvasser?

Answer. Appointed as canvasser to fill a vacancy caused by the resignation of Mr. Newman.

Question. Who appointed you?

Answer. The board of supervisors.

Cross-examined by Mr. PHELPS:

Question. Had you any other altercation during the day with your fellow inspectors except in reference to these two gentlemen of whom you speak?

Answer. With two others, that I don't recollect their names, besides the two; I protested against their votes going in, not being found on the registry, or not being verified by affidavit that they had a right to vote there.

Question. Is this district composed of first class residences or tenement houses?

Answer. I think first class residences.

Question. Is it near Union square?

Answer. Corner of Sixth avenue and Twenty-fourth street, southeast corner; that takes in Fifth Avenue hotel, St. James's hotel, Hoffman House, Ashland, and some other hotels.

Question. Were the challengers present on each side?

Answer. There was only one vote challenged.

Question. Do you know whose vote that was?

Answer. No, sir; but I know one vote was challenged, and the man who came forward to vote the democratic ticket, the last vote that was put in, and one of the inspectors challenged the vote, and the man was found to be duly registered, and had within one month taken out his naturalization papers, and the inspector contended that he had no right to vote unless he had taken out his naturalization papers sixty days; that vote was discarded.

Question. How did you know he had a democratic vote?

Answer. Because he said so. He said, "Gentlemen, I protest against this difficulty; I came here to vote the democratic ticket."

Question. Were there many soldiers' votes offered?

Answer. Yes, sir.

Question. How many were received?

Answer. Mr. Opdyke brought down a large number of them.

Question. How many?

Answer. Well, I should think he brought down thirty or forty; it looked so, at least.

Question. Were all received?

Answer. I objected to their being received, as they were not registered in the district, and then we bundled them up and sent them to the proper authority; and then canvassed the votes to see if they were correct votes, and if not they were discarded.

Question. Then you had no altercation with the inspectors at that time?

Answer. No, sir, not at that time.

Question. Do you know if the canvassers counted these soldiers' votes?

Answer. No, sir; there were some that were opened duly registered, and these votes were put in the ballot-box; the others were returned to the board of county canvassers.

Re-examined by Mr. WATERBURY:

Question. Do you know of any law that gives a well-dressed man any greater right to vote in a district containing first-class houses, when he is not entitled to

vote, than a poorly-dressed man in a district of tenement houses, when he has a right to vote?

Answer. I think not.

WILLIAM A. BOYD.

Attest: A. D. RUSSEL, *City Judge.*

George F. Browne sworn.

Examined by Mr. ANTHON:

Question. Your residence?

Answer. 135 Fourth avenue.

Question. Your occupation?

Answer. Actor.

Question. How long engaged in that profession?

Answer. Thirty-odd years.

Question. Do you know John R. Hargen?

Answer. Yes, sir.

Question. Do you know what his general reputation is?

Answer. Well, the worst I ever heard.

Question. In what respect?

Answer. In being a dishonest man, a liar, a thief, and a perjurer.

Question. Do you know what this matter is you are being examined in?

Answer. I have not the slightest idea.

Cross-examined by Mr. PHELPS:

Question. Have you had any personal quarrel with Mr. Hargen?

Answer. No personal quarrel—personal dealings.

Question. You have had no quarrel or misunderstanding?

Answer. Well, I don't know exactly how to answer that question. I will make a statement of the difficulty I had with Mr. Hargen, if you care to know.

Question. No, I don't care to know if you had any idea of his reputation.

Answer. I gave one hundred and twenty dollars to him for a suit of furniture, and I have not seen the money or furniture, and he lied to me and swindled me in every possible way; that is a year ago last December. I have been to Mr. Ottinell and been to other parties to try and get something out of him, and I suppose of the one hundred and twenty dollars which I paid him in advance I have recovered about forty dollars. I was very foolish to do it, but I thought he was an upright man.

GEORGE F. BROWNE.

Attest: A. D. RUSSEL, *City Judge.*

Timothy Geaney duly sworn.

Examined by Mr. ANTHON:

Question. You are a patrolman of the Metropolitan Police?

Answer. Yes, sir.

Question. How long on the police force?

Answer. Four years on the 5th of last month.

Question. Where were you stationed on the election day in November last?

Answer. In the Seventh avenue, between Twenty-sixth and Twenty-seventh streets.

Question. What district was that?

Answer. Ninth of the Twentieth ward.

Question. Who were the inspectors there; do you remember?

Answer. There is one who testified here a little while ago.

Question. Were you there all day?

Answer. Yes, sir.

Question. What was the condition of the poll during the day as to its peace and order?

Answer. Very peaceable, sir.

Question. No disturbance?

Answer. No, sir.

Question. Nothing requiring interference of any kind?

Answer. No, sir.

Question. Do you know a gentleman named Thomas E. Smith?

Answer. Yes, sir; I am acquainted with him.

Question. Was he there that day?

Answer. He was.

Question. Where did you first see him?

Answer. The first time I saw him was corner of Twenty-seventh street and Seventh avenue.

Question. I mean in what part of the polling place?

Answer. In the morning I saw him inside, taking charge of the registry book.

Question. Then what became of him after that?

Answer. He got a man to take charge of the book, and he went out into the street, and came in again and went behind the desk, and they objected to having him around the desk. I recognized this man here as the man who objected to him, and said the inspectors should not allow him behind the desk—allowing him there and not allowing other people. Mr. Smith was ordering to push people out; and knowing Mr. Smith as a decent man, I thought we could keep peace; and by this man interferring, it appeared Mr. Smith was raising a little disturbance there himself, at the same time; this man objected to it. I never saw anything more than that.

Question. Was any assault made on Mr. Smith?

Answer. Not a bit, sir.

Question. Was there any assault threatened?

Answer. No, sir.

Cross-examined by Mr. PHELPS:

Question. Did Mr. Smith order the policemen to put any parties outside?

Answer. No, sir.

Question. Were you inside all day?

Answer. All day long.

Question. Were you stationed at the door?

Answer. Inside all the time, which Mr. Smith, himself, knows; I know Mr. Smith to be a respectable man, and have known him sixteen or seventeen years, and I respected him, and I did not see anything there that I would feel any way dissatisfied.

Question. You did not hear the inspectors use any harsh words with him?

Answer. Not a bit.

Question. You heard no one in the crowd abusing him because he discharged his duty as a republican challenger?

Answer. I don't recollect it; inside it was not so at all; I don't know what may have transpired outside.

Re-examined by Mr. ANTHON:

Question. Were you present at the closing of the polls?

Answer. I was.

Question. Any disturbance at that time?

Answer. Nothing more than that; some men standing by said that Mr. Smith was defrauding some voter there.

Question. All that led to no serious disturbance?

Answer. Not a bit; it was merely a charge made against Mr. Smith, and that was the end of it. I believe this man (witness points) was the man who challenged.

Question. Did you see Bagley there at the close of the polls?

Answer. Yes, sir.

Question. Did you see him engaged in any disturbance?

Answer. No, sir.

Question. The only thing you saw was Mr. Smith improperly interfering with the votes, and that passed off very quietly?

Answer. Yes, sir; and that passed off very quietly.

Question. Do you know Stephen Geohegan?

Answer. I do; I believe he lives in First avenue and Thirty-ninth street.

Question. What is his business?

Answer. I believe he is a liquor merchant.

Question. I guess he is the same man; how did you come to be acquainted with him, professionally or otherwise?

Answer. Not professionally.

Question. Do you know anything about him?

Answer. No, sir.

TIMOTHY GEANEY.

Attest: A. D. RUSSEL, *City Judge.*

James Salmon sworn.

Examined by Mr. ANTHON:

Question. Your residence?

Answer. 301 First vaenue.

Question. Your business?

Answer. I work in the Croton pipe yard.

Question. How long have you lived in your present residence?

Answer. About six or seven years in that neighborhood, in that district.

Question. Do you know Mr. John R. Hargen?

Answer. Yes, sir.

Question. How long have you known him?

Answer. About three or four years.

Question. What is his character and reputation?

Answer. I never heard a worse character of any man, sir.

Question. From what you know of his character and reputation, would you believe him under oath?

Answer. No, sir, I would not; my landlord says he has nine months' rent to pay, and he says he is the poorest man.

Question. Did you ever know he had connexion with the enrolment?

Answer. Yes, sir.

Question. Do you know anything in relation to that?

Answer. Yes, sir; they gave him fifteen or twenty dollars to keep their names from the draft. He said he would fix me all right if I paid him something, and I told him to go to hell—I would have nothing to do with him. He made a good deal of money, I heard. One of his republican friends, Mr. William A. Jones, who works in the Croton office down town, told me he was a "dead beat," and that he got one hundred dollars from Mr. Dodge, and that he did not know what he got it for; that he was uo use to anybody. Mr. Atkinson told me the same

thing—that he was a dead beat, and did not know what Dodge gave him a hundred dollars for.

Cross-examined by Mr. PHELPS:

Question. You say you would not believe Mr. Hargin under oath: did you ever know him to commit the crime of perjury?

Answer. No, sir; by reputation.

Question. Who did you hear say he would not believe him under oath?

Answer. My landlord, 301 Seventh avenue.

Question. Did you hear any one else say so?

Answer. Yes, sir; Deacon Coles; he has a sofa of his nine months, and can't get it.

Question. I said who told you he would not believe him under oath?

Answer. Yes, sir; my landlord. The reason I think so is, that he was sent as a government officer to take these names down, both republicans and democrats; and when he came to me, he said he would make it all right, and I thought he must be a perjurer; that if he done justice, he could not make me all right unless I went through the wheel.

Question. Did you make it all right?

Answer. I told him to go to hell; that he must be a perjurer.

Question. You were over age, were you not?

Answer. I expect so; whether I was or not, I would not give him any satisfaction.

Question. Do you know of any crime that Mr. Hargin committed, except that he did not pay his debt to your landlord?

Answer. I don't know any worse crime than taking this money from those poor men that I heard tell of.

Question. Who was one?

Answer. Mr. Mulhulland, in First avenue, from whom he wanted twenty-five dollars?

Question. Do you know anything about it?

Answer. Only what I heard.

Re-examined by Mr. ANTHON:

Question. How old are you?

Answer. My old woman says I am forty-six years the 7th of last may.

JAMES SALMON.

Attest: A. D. RUSSEL, *City Judge.*

John T. Davis sworn.

Examined by Mr. ANTHON:

Question. You are a patrolman of the Metropolitan Police?

Answer. Yes, sir.

Question. How long?

Answer. Since the 1st of last June.

Question. Where were you stationed on election day?

Answer. Ninth district, Twentieth ward, 255 Seventh avenue.

Question. Between what streets?

Answer. Between Twenty-sixth and Twenty-seventh streets.

Question. Were you there all day?

Answer. Yes, sir, most all day, with the exception of the time I went to dinner.

Question. How was the election conducted with regard to its peace and quietness and order?

Answer. Peaceable.
Question. No disturbance of any kind?
Answer. No, sir.
Question. Do you know Thomas E. Smith?
Answer. Yes, sir.
Question. Was any violent assault made upon him?
Answer. No, sir.
Question. Was any violence threatened to be used to him?
Answer. No, sir.
Question. Where did you first find Mr. Smith?
Answer. In the early part of the morning, at his place behind the counter, checking the names on the registry book.
Question. What became of him then?
Answer. After that he got another man to take his place, and he was challenger. I saw him then behind the counter, and the inspectors ordered him out. He got outside, and some gentleman ordered the crowd back so that the people could get in to vote, so that they would not obstruct the polls; it was a very small place. They wanted Smith to go away from there; so I went over and spoke to him, and he came from behind the counter. We put out all those who were not entitled to vote, except the challengers on each side.
Question. Did Mr. Smith challenge very frequently?
Answer. Yes, sir; he had a list of names, he said; he called at their residences and they could not be found; citizens there said that they had lived there, and resided there for a number of years.
Question. Were you there at the close of the polls?
Answer. I was.
Question. Was there any trouble then?
Answer. No, sir.
Question. None of any kind?
Answer. No, sir.
Question. No disturbance of any sort?
Answer. No, sir.
Question. Did you see Mr. John V. Gridley?
Answer. Yes, sir.
Question. Did you see him make any disturbance?
Answer. No, sir.
Question. Did Mr. Smith order you to eject everybody from the room?
Answer. Yes, sir, and I refused.
Question. Do you know who the canvassers of that district were?
Answer. The gentleman who gave his testimony here was one of the canvassers.
Question. Do you know whether it was one republican and two democrats?
Answer. I don't know.
Question. Mr. Smith had no right to give any orders to any policeman there?
Answer. No, sir; but I think he used more authority than any of the inspectors.

Cross-examined by Mr. PHELPS:

Question. Do you know what Mr. Smith does?
Answer. No, sir.
Question. You know if he holds any position in the city government?
Answer. No, sir.

JOHN T. DAVIS.

Attest: A. D. RUSSEL, *City Judge.*

John Murray sworn

Examined by Mr. ANTHON:

Question. Where do you live?
Answer. 506 Second avenue.
Question. How long have you lived in that neighborhood?
Answer. About six years.
Question. You are one of the health wardens of the city, are you not?
Answer. Assistant health warden.
Question. Do you know Mr. Fitz Simmons?
Answer. I do.
Question. What is his first name?
Answer. Patrick Fitz Simmons.
Question. Whereabouts does he live?
Answer. Next door to me; I forget the number.
Question. How long have you known him?
Answer. Well, in the neighborhood of six years; I have known him before that.
Question. Do you know what his character and reputation among his neighbors are?
Answer. I have known him to be a good neighbor since I got acquainted with him.
Question. His character in the neighborhood is good?
Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. Your residence is next door to Mr. Fitz Simmons, and has been such for six years?
Answer. Yes, sir.
Question. You are a milkman, I believe?
Answer. Yes, sir.
Question. On the morning after the riot do you remember or not to have seen a pool of blood underneath your cart?
Answer. I do, sir.
Question. Were you there at the time of the riot in your house?
Answer. In my own house.
Question. Did the military fire into Mr. Fitz Simmons's house?
Answer. Yes, sir, and into my house. I was sitting in a front room when they came up, and I was dragged away from the window and taken into the top floor and into his house.
Question. Why did they fire into his house?
Answer. It was reported that a shot was fired from the roof; the roof is level.
Question. Were you arrested the next morning?
Answer. No, sir; never arrested in my life.
Question. Was Mr. Fitz Simmons?
Answer. Yes, sir.
Question. Why was Mr. Fitz Simmons arrested rather than you, if his character was so good?
Answer. It appears that the shot was fired from the roof of the house.
Question. You say the roof extended over his and over several other houses?
Answer. It runs through the whole block.
Question. Has Mr. Fitz Simmons had any other occupation than that of selling liquor at that shop that you know of?
Answer. Not that I know of.
Question. Is his place well patronized?

Answer. Could not tell; I never asked him; it is the same as the general run.

Question. You feel willing to swear that Mr. Fitz Simmons's general reputation is good?

Answer. I find him a good decent neighbor, and his reputation is good as far as I know.

Re-examined by Mr. ANTHON:

Question. You never knew the special reason of firing at your house?

Answer. They fired more at my house then they did at his.

Question. They charged and entered your house and his house?

Answer. No, sir; they did not charge into our house.

Question. What do you say about being taken away from the window?

Answer. Our people pulled me away. They did not enter our house at all.

Question. Your house has no liquor store in it?

Answer. No, sir.

Question. Mr. Fitz Simmons's place is a liquor store?

Answer. Yes, sir.

Question. Don't you think this a very good reason for their entering his place and not entering yours?

Answer. The man who fired the shot might have come from Thirty-second street, and run up the roof.

Question. A man can walk on the roof of those houses from Thirty-first to Thirty-second streets?

Answer. Yes, sir; a child could walk upon them.

Question. So that if the shot was fired from Fitz Simmons's house, it was no indication whatever of where the man came from?

Answer. He might come from the corner of Thirty-second street as from my place or Fitz Simmons's place.

JOHN MURRAY.

Attest: A. D. RUSSEL, *City Judge.*

Patrick Fitz Simmons sworn.

Examined by Mr. ANTHON:

Question. Where do you live?

Answer. 564 Second avenue.

Question. What position did you hold in reference to receiving and counting of votes at the last general election?

Answer. Canvasser.

Question. Where?

Answer. The third district of the Twenty-first ward.

Question. Who were your fellow-canvassers?

Answer. Mr. Mahoney and Mr. Heizman.

Question. How was that canvass conducted as to its fairness and propriety?

Answer. Correct, in all respects.

Question. The certificate of the result was made?

Answer. Yes, sir.

Question. The number of votes polled there were by the canvassers correctly counted?

Answer. They were.

Question. And the returns made in accordance with the counting?

Answer. They were.

Question. Did you keep a tally?

Answer. I did.

Question. And that corresponded with the count and with the returns?

Answer. Yes, sir.

Question. Tell us in detail how that canvass was made—how the votes were counted, and how arranged.

Answer. They were counted as usual.

Question. Tell us how it is done, because they don't know in Congress how it is done.

Answer. Congressional, assembly, and so on.

Question. When you began to count how did you set to work?

Answer. Counted in tens. Rolled them out before the clerks and canvassers, and all were counted over as they generally do.

Question. When the ballots were taken out of the box they were first opened?

Answer. First counted.

Question. Then opened?

Answer. Yes, sir.

Question. And then counted in sets of ten each?

Answer. Yes, sir.

Question. By whom were those tens counted?

Answer. By the three canvassers; first, the chairman.

Question. And he passed them to the other two in succession?

Answer. Yes, sir.

Question. And tallies were kept of these counts?

Answer. Yes, sir.

Question. And those numbers were written in the returns?

Answer. Yes, sir.

Question. And the returns signed and verified?

Answer. Yes, sir.

Question. Do you know Mr. Barnard Ranft, or Roff?

Answer. I do.

Question. What is his name?

Answer. I could not pronounce his name.

Question. He is a barber, or used to be, in your neighborhood?

Answer. Yes, sir.

Question. Was he in your store on the day after election?

Answer. It may be; I could not say. I was not in the whole day after election.

Question. Did you have any conversation with Mike Geohegan, or with any other man named Mike, in Ranft's presence, on the day after election, in relation to the votes of the election?

Answer. No.

Question. Did you ever say to any person in the presence of Ranft, or otherwise, did you say to any one, that after the polls were closed and the canvassers were sitting there you counted so many ballots, and had them in your pocket, and while the others were all busy you counted just as many for the other party, and had them in your other hand and laid them back on the table, so you counted what you took and put them back into your pocket?

Answer. No, sir; I did not say anything of that kind.

Question. Did you ever say to any person language which implied any evidence that you had taken away from the votes polled a certain number and replaced them with others which you had previously prepared for that purpose?

Answer. No, sir.

Question. Did you ever do that?

Answer. No; it would be an impossibility; there were three canvassers. I have been canvasser there four or five years, and ought to know something

about it. There were two republicans and one democrat there, and everything was carried on fair and square.

Question. What were you doing on the day of election?

Answer. I was at the polls.

Question. Did you sell any liquor on the day of election?

Answer. No, sir; I gave it away.

Question. Is your occupation that of a bounty-jumper?

Answer. I believe I got the name of it here.

Question. Is it your business?

Answer. No, sir.

Question. What do you mean by saying you got the name here?

Answer. I understood a few gentlemen came up here and said that I was.

Question. You mean you got the name by the testimony?

Answer. Yes, sir.

Question. And you don't mean you have the name of bounty-jumper in your neighborhood?

Answer. No, sir.

Question. Did you ever hear of your being called a bounty-jumper before the German barber found it out?

Answer. Never heard the like of it in my life before.

Question. Did you ever tell Mr. Ranft, this German barber, that you had gone to Elmira to assist deserters to escape, or anything of that kind?

Answer. No, sir.

Question. You have never been to Elmira to assist deserters to escape?

Answer. Never have been.

Question. Did you ever tell Ranft, in his barber-shop, that you got any man out of the United States service from Elmira or elsewhere?

Answer. No.

Question. Do you know any number of bounty-jumpers, or any bounty-jumpers, hang around your place, day and night, as Mr. Ranft testifies?

Answer. I don't know what the definition of bounty-jumper is.

Question. Neither do I.

Answer. Then I can't answer it.

Question. Is your house a resort of persons who are engaged in defrauding the United States enlisting service in any form?

Answer. No, sir.

Question. Now about this riot. You did not fire any muskets from your house at the military?

Answer. I don't believe I did.

Question. What were you doing on the occasion of the riot, when the military came up a little previous to the firing upon your house? Give a full account of what occurred before and at that time.

Answer. As they were coming up Second avenue the pickets were ahead, between Thirtieth and Thirty-first streets. I believe the regiment was the 65th. The pickets made every person close up, and I shut up both doors. The first thing I knew when I had the bars of the door shut was a volley of musketry. I wondered what it was, and with that I turned the gas off, and the first thing I knew they broke in the door and came in, and, as a matter of course, I went back to shut the back door, and there was a whole crowd at the time, and all rushed into the hall-way, and some into the yard, and some scattered all around. Then the military came and broke in the store door, and helped themselves to what they could.

Question. What did you do when you found this firing had commenced?

Answer. When they fired in I thought it was best to get down, and I got down.

Question. Where did you get?

Answer. I got behind the bar. I was there at the time—the minute the first shot was fired. I turned the gas off, and that made it look more conspicuous, and that is the only reason they broke in, I think.

Question. You turned the gas off so as to prevent there being a mark to be shot at?

Answer. Yes, sir.

Question. What became of them after you had got safe under your bar?

Answer. They broke in the door, and wanted to turn on the light. I arose, and said, "Men, have a little reason in you; I don't know what this is all about." They said, "Turn on your gas." I turned on the gas, and they got hold of me and arrested me. I asked for the commander of the company, to know what it was all about.

Question. What is the upper part of that building where you have your store?

Answer. It has three tenants.

Question. Rented to three separate families?

Answer. Yes, sir.

Question. How are the roofs of those houses arranged?

Answer. There is access at the top of them through the whole block; there is access on the roof.

Question. It is a series of level roofs right through the block?

Answer. Yes, sir.

Question. So that persons can get from one street to the other?

Answer. Yes, sir; they can get down Thirty-second street corner, or anywhere.

Question. How long had you been in that bar-room on the occasion of the military coming up, before the pickets came with the command to close up stores?

Answer. Could not say.

Question. Had you been there an hour or a few minutes?

Answer. I had been there some time; it was my usual business.

Question. Had you any idea what time?

Answer. It was in the evening.

Question. At what hour in the evening?

Answer. Between seven and eight o'clock.

Question. Do you remember what day of the week?

Answer. No, sir.

Question. Was it the first, second, or third day of the riot, do you remember?

Answer. It was the last day of the riot, Thursday.

Question. Do you remember what sort of an evening it was; whether clear or cloudy?

Answer. Don't remember now.

Question. Did you hear Mr. Birdsell's testimony?

Answer. Yes. sir; I understood Mr. Birdsell to say it was in the morning in his testimony.

Question. Do you remember where he stated that he himself was standing when he saw this affair?

Answer. Yes, sir.

Question. If he stood were he said he did, could he by any possibility see from what window of that block the shot was fired?

Answer. I don't believe he could; I just tried it no later than the other day: and besides, Mr. Birdsell could not stand there, because the picket was there before the regiment came up and made everybody close their windows; I don't see how he could stand there.

Question. You think, then, Mr. Birdsell is mistaken with regard to that portion of his testimony?

Answer. Yes, sir; I don't think he could swear what window or house it came out of.

Question. What distance from your store would it be that he testifies?

Answer. I should judge one hundred feet.

Question. Are the houses in that block uniform?

Answer. Yes, sir.

Question. So that all the rest of the windows are on the same level?

Answer. Pretty nearly parallel.

Question. How do yours correspond in that respect with the ones next to it?

Answer. It may be a little higher; not much.

Question. You say that when the military came in they arrested you?

Answer. Yes, sir.

Question. What did they do with you?

Answer. They put me in irons, and I inquired for the commander, and when I did that one of them jerked a bayonet in me.

Question. What did the military do when they found liquor in your store?

Answer. They helped themselves, and helped themselves to the till besides.

Question. What did they do with you?

Answer. They brought me down to headquarters that night.

Question. What was done with you next morning?

Answer. I was let go.

Question. Was any complaint made against you?

Answer. No, sir.

Question. You were let go without being turned over to any other than military authority?

Answer. I was let go again next morning.

Question. Do you know who was in command or by whose order you were let go?

Answer. I forget his name; I heard his name.

Question. It was by the officer in command?

Answer. I inquired for him and I asked one of the men, and he told me, but I forget.

Question. Did you ever tell this man Ranft that once you received three hundred dollars and once five hundred dollars for election business, and you spent it?

Answer. Never.

Question. You don't expect people, when you keep your store open for them for political purposes and without their request, to send down and ask how much they are to pay for it?

Answer. No, sir.

Question. What do you know about this Ranft, the barber? You said some time ago you had something to say about him.

Answer. When this was brought up, this controversy between Brooks and Dodge, I understood he sold out to the present barber that is now there. He told Mr. George Neider, and George Neider told me, that he wanted to make a stake out of Mr. Dodge; that he would give his testimony to the effect he has done to make a stake out of Mr. Dodge; and that if the boys found out he done this, he thought it best to sell out and leave after he had done it.

Question. What do you understand by the expression of making a stake?

Answer. Making money out of him; he has testified he sold out for one hundred and fifty dollars the barber-shop that cost him two hundred dollars.

Question. Do you know Jeremiah Mahoney?

Answer. I do, sir.

Question. Who did he vote for at the congressional election?

Answer. I could not swear.

Question. Has he not told you about it?

Answer. I understood he voted for Mr. Barr.
Question. He represented himself as voting for Mr. Barr?
Answer. Yes, sir; he was a Barr man.

Cross-examined by Mr. PHELPS:

Question. In the ceiling of which one of the stories were the most bullets from the musketry of the military?
Answer. I can't say; in both floors.
Question. In which were the most, the second or top story?
Answer. Could not say.
Question. You mean to say you could not tell where they are most?
Answer. I did not count; it must be in the second.
Question. Who occupied the second story?
Answer. A widow woman and two children.
Question. What story does your family live in?
Answer. First floor.
Question. Did it live there on that day?
Answer. We did not occupy the front part; we were in the rear part that day.
Question. You mean to say that on election day you gave away your liquor without pay.
Answer. I did not say I gave any liquor out at all.
Question. Was any given from your bar, or sold from your bar on the day of election?
Answer. There may; I don't know.
Question. You mean to say that you don't know that liquor was taken from your bar that day?
Answer. There may.
Question I want to know if you don't know there was?
Answer There may; I was in Albany.
Question. What was your purpose in going to Albany?
Answer. To see a sister of mine, who was sick.
Question Did you go there to use your influence for a former bar-keeper of yours who was arrested?
Answer. No, sir; my bar-keeper was never arrested.
Question. Did not you go to use your efforts to secure the release of one who was in the habit of frequenting your shop, who had been arrested for an offence?
Answer. Never; except to go bail for a man in arrest; but I did not leave the city for that.
Question. For whom have you been bail; for the hangers-on at your establishment?
Answer. I have no hangers-on.
Question. I mean by that such as go there?
Answer. Well, there are no young men who come around the store except those who are decent; I keep no hangers-on.
Question. I mean they are decent; but the young men who stay there, did not you ever give bail for any of them?
Answer. No, sir.
Question. Who were the two men wounded on your premises on the day of the riot?
Answer. I was wounded myself.
Question. Who was the one killed in the privy?
Answer. His name was Broderick, I believe.
Question. Had you ever seen him before?
Answer. Yes, sir; a quiet, peaceable citizen.
Question. What was his occupation?
Answer. I guess he was a laborer.

Question. Had he been in the habit of coming to your establishment?

Answer. Very seldom.

Question. Who was the man who was wounded in climbing over the fence?

Answer. That was my bar-tender.

Question. What was his name?

Answer. I forget his name; I sent him out to bolt the hall door, to keep the crowd from rushing in there, and in place of that, when he bolted he ran into the yard.

Question. You were in the habit of getting shaved at the shop of Bernard Ranft or Raff?

Answer. Yes, sir.

Question. Don't you think if he was going to make such communication he acted wisely in moving from your neighborhood?

Answer. Don't know.

Question. You think it would have been comfortable and pleasant for him afterwards?

Answer. I think the neighborhood is as quiet and peaceable as any in the ward.

Question. Notwithstanding the fact that there was the chief scene of the riot?

Answer. That might have happened even in Fifth avenue as well as in Thirty-second street; these accidents we cannot account for.

Question. You have been canvasser before for Mr. Fitz Simmons?

Answer. Yes, sir; several times.

Question. Have you taken any interest in politics during the last five or six years?

Answer. No, not much; I was interested in a man, and, of course, I worked for him; I would have liked to see him elected; I suppose the opposition do the same.

Question. Don't you consider, in politics, if you succeed in electing your candidate, that anything is right which is successful to that end?

Answer. Oh! no.

Re-examined by Mr. ANTHON:

Question. What was the scene of the last riot, before the July draft riot, in the city of New York? What was the last riot before the July riot?

Answer. I don't remember.

Question. What was the next riot in point of time, do you remember?

Answer. I think it was the Astor Place Opera House riot.

Question. Will you describe what the neighborhood was at that time?

Answer. I was not in the city then.

Question. You knew the neighborhood?

Answer. It was a very aristocratic neighborhood; it could happen there as well as in Thirty-first street.

Question. You were not in the city at that time?

Answer. No, sir.

Question. Do you remember whose house was situated exactly on Astor Place—Mr. Langdon, the son-in-law of Mr. Astor?

Answer. Yes, sir; the son-in-law of John Jacob Astor.

Re-cross examined by Mr. PHELPS:

Question. Which corner was the residence of Mr. Langdon, or in the Astor Place, at the time of the Astor Place riot?

Answer. Well, on that square, I can't describe it.

Question. Do you know it is south or north?

Answer. I think it was on the south corner of the street; I know the house, I know where it is situated.

Question. Did you know he lived in the house before Mr. Anthon spoke
Answer. Don't know.
Question. Do you know who fired from the window of your house?
Answer. No, I don't know.
Question. Do you know from which window they fired?
Answer. No.
Question. You are willing to swear to these two facts?
Answer. I have sworn to them already.

Re-examined by Mr. ANTHON:

Question. Do you know they fired from any window in your house?
Answer. No.
Question. Do you know a shot was fired from anywhere about your house?
Answer. I know nothing at all about it; I was attending to my business and heard no shot or anything fired; I heard no shot, and did not hear anything about it.
Question. The talk was that it was fired from the roof?
Answer. Yes, sir.

PATRICK FITZ SIMMONS.

Attest:

A. D. RUSSEL, *City Judge.*

Adjourned till 7½ o'clock p. m.

SATURDAY EVENING, *April* 1, 1865.

The counsel for Mr. Brooks puts in evidence books and papers, marked as Exhibits 6, 7, 8, and 9; the signature of Judge Brady to Exhibit No. 8 being admitted by the counsel for Mr. Dodge.

John Farrell sworn.

Examined by Mr. ANTHON:

Question. Your residence?
Answer. 795 Second avenue.
Question. Had you any position in reference to the taking or counting of votes at the last general election?
Answer. I acted in the registry board as one of the registers, and was also one of the inspectors.
Question. In what district?
Answer. The seventh district, Twenty-first ward.
Question. Who were your fellow registers?
Answer. One's name was Taylor, and the other one's Prindel or Tindall; I don't know which.
Question. And who acted as inspectors?
Answer. A gentleman by the name of Gall, and I think the other was Wylie.
Question. Do you know whether or not that was one of the districts supposed to have two republicans and one democrat for registers and inspectors, or the reverse?
Answer. I understood there were two republicans to one democrat.
Question. In making that registry was any irregularity or improper conduct committed, to your knowledge?
Answer. Not to my knowledge. I was in the minority of the board and did not have much to say.
Question. When the registers were completed, were they certified as usual by the registers?
Answer. Yes, sir.

Question. Which one of the registers made that verification?

Answer. Well, the chairman, I believe; Mr. Taylor.

Question. Warren S. Taylor?

Answer. Yes, sir.

Question. The registers united in the certificate?

Answer. Yes, sir; we all signed.

Question. If any names were improperly placed on that register, it was done without your knowledge?

Answer. Yes, sir.

Question. Have you any knowledge that any illegal or improper votes were received on the day of election during your inspectorship?

Answer. None that I know of, sir.

Question. You were one of the board of inspectors, also?

Answer. Yes, sir.

Question. Were the other two inspectors appointed as republicans?

Answer. So I understood.

Question. If any illegal or fraudulent votes were received in that district during that day, they were received without your knowledge and without your consent?

Answer. Yes, sir.

Question. At the conclusion of the voting you left the matter in charge of the canvassers, as required by law?

Answer. Yes, sir.

Question. Were the ballot-boxes first sealed in your presence, as required by law?

Answer. Yes, sir; and delivered to the canvassers.

Question. Who were the canvassers?

Answer. I think Dr. Hodgeman, Mr. Murphy, and another.

Question. Who was the other?

Answer. The other gentleman was here a moment ago; I don't remember his name.

Cross-examined by Mr. PHELPS:

Question. How well acquainted are you with the residents of the seventh district, Twenty-first ward?

Answer. I am a resident there two years; do a public business; and that is all I know about it.

Question. How many persons do you think you know who reside in that district?

Answer. Only by rough calculation?

Question. We only want to know, generally.

Answer. I think I might know two hundred; I don't mean to say voters.

Question. How many voters do you think you know, at a rough calculation?

Answer. I may know thirty or forty.

Question. How many votes were polled on the day that you acted as inspector?

Answer. I think there were four hundred, or thereabouts; I think a little more than four hundred.

Question. Then there are some three hundred men there who had a right to vote?

Answer. A little over four hundred.

Question. How many names were on the register?

Answer. There must have been five or six hundred.

Question. Were you personally present all the days on which the registers sat?

Answer. Yes, sir, every day, and stopped there until such times when the chairman made a break to adjourn.

Question. Until such times?

Answer. Yes, sir.

Question. At the first session, how many times did you sit?

Answer. I believe the poll-list of last year was lost, and we had to go there two or three times and adjourn from one day to another.

Question. Did you take any names during the first session?

Answer. Yes, we did, some.

Question. Did you take the names of any who did not appear personally?

Answer. At the suggestion of Mr. Taylor, or the other gentleman, I am not sure which, I believe they gave liberty to the bar-keeper to take some names, but at the next meeting the chairman (Mr. Taylor) would not allow them to be registered.

Question. When was the poll-list found?

Answer. I don't know that it was ever found; I don't believe it was.

Question. Then where were the names procured which were put on the register?

Answer. I think they were copied from an old register of the year before.

Question. Are you sure they did not register the names of any parties who did not appear personally, but whose names were brought in or suggested by other citizens?

Answer. I can't positively say, but I know this much—it was the occasion of a good deal of trouble. After the chairman said that names should be copied from the list that they gave the bar keeper the privilege of taking, he would not allow them to go on the register; it gave a good deal of trouble at the time; he refused to register them when we sat the second time.

Question. At the second session how many parties came in to have their names added or corrected?

Answer. The most that the man behind the bar took. Their friends notified them.

Question. Who was the bar-keeper?

Answer. I don't know his name, sir.

Question. What was the name of the proprietor of the establishment?

Answer. Mr Geoghegan.

Question. Then Mr. Geoghegan was the man who offered the list—who was to have the right to make up the list?

Answer. It was the bar-keeper—the name was not mentioned—but I suppose it meant him as well as his hired man.

Question. Then the board of registry sat in Mr. Geoghegan's house?

Answer. Yes, sir.

Question. And the poll was held in the same place on election day?

Answer. Yes, sir.

Question. Who did you say, besides Mr. Taylor, was your associate in the board?

Answer. I think his name was Tindall or Prindle; I can't say which.

Question. You feel pretty sure that Mr. Tindall, if that was his name, was a republican?

Answer. I never asked his politics; I met him there for the first time.

Question. Then you know nothing about his politics, except you have an impression that it was a republican board of registers?

Answer. I have heard in that district there were two republican registers and one democrat.

Question. Did you see Mr. Geoghegan in the poll-room much on the day of the election?

Answer. He was in and out a good deal.

Question. Did he bring many names to be entered on the register?

Answer. I don't know that he presented many; I could not say now.

Question. I mean personally; you say the list was from the bar-keeper who was there?

Answer. I said before that the chairman would not allow them to go on the register, and the consequence was that the friends of those parties warned them that their names would not be on the list, from the objection made by Mr. Taylor, of the board of registers, and that they would have to appear.

Re-examined by Mr. ANTHON:

Question. You don't remember that Mr. Geoghegan brought up a man to register?

Answer. I do not; he was a prominent politician, but did not take a more active part than any other.

Question. You don't remember in this particular instance?

Answer. Not in this particular instance.

Question. What is the first name of Mr. Geoghegan?

Answer. Stephen.

Question. How was Mr. Taylor appointed chairman?

Answer. Well, the morning we met we organized, and of course the other gentlemen voted for him.

Question. You did not?

Answer. Well, it was a matter of form; I knew he would be elected.

Question. There being two republicans, and you being in the minority?

Answer. Yes, sir.

Question. You were in the minority, then, in all the proceedings of the board of registry?

Answer. Yes, sir.

Question. Did Mr. Taylor make the agreement by which the bar-keeper was to take names—with the bar-keeper or with Mr. Geoghegan?

Answer. Certainly he agreed to it.

Question. Was the arrangement made with the bar-keeper or with the proprietor of the house?

Answer. It was agreed to by the board in the bar-keeper's presence; he heard it; it seemed it was generally done; I have seen it done in other places.

Question. Did Mr. Geoghegan and Mr. Taylor have any communication during the sitting of the board of registry?

Answer. Nothing more than that Mr. Taylor was a little particular, and Mr. Geoghegan often found fault.

Question. Nothing more than that?

Answer. Nothing more than that.

Re-cross-examined by Mr. PHELPS:

Question. You have stated that it did not seem to you that it was unprecedented that the parties who live at the place of registry should have the privilege in the absence of the registers of taking names. Can you specify any district where you know that course was allowed?

Answer. I have not the last year, but I have been a clerk in the Eighteenth ward, and as far as the law specifies, Mr. Taylor was not a resident in the district, and I don't believe the law calls for a man outside of the district. I have noticed that the law is broken very constantly in that respect.

Question. But I understood you to say that it was customary to let a party on the premises take the names in the absence of the registers?

Answer. I have seen it occur, sir.

Question. Can you give me the number of any district in which that was done?

Answer. I can't exactly. I know the fact, though; I could, after a little consideration, give you one. I have heard that it has been the case for people who applied at the place of registry and the registers were not in session, to put their names down.

Question. At the first session how much time did the registers sit when they found they could not obtain the poll-list; did they adjourn?

Answer. Well, Mr. Taylor went after the poll-list, and we sat waiting until he came back, and I think the sessions were put off two or three times for the purpose of obtainig the list.

Question. When the list was found two or three days afterwards, then did you sit?

Answer. We did not find the list at all.

Question. Then what days did you sit at the first session?

Answer. Could not say exactly the days; we made out the necessary books.

Question. At the second session were you only absent when at your meals?

Answer. That is all, sir; I might have gone out for ten or fifteen minutes, but there were generally two there; when one was absent, two were there.

Question. You don't know of any time when the clerk was left alone?

Answer. No. I don't know of any, sir, except it was the days we were waiting for the poll-list; then he sat at the table and had nothing to do.

Question. He took no names, then, during the three days that you were waiting for the poll-list?

Answer. Not that I heard of.

Question. What was the name of the clerk?

Answer. I can't tell you his name now; I think it was Hooper.

Re-examined by Mr. ANTHON:

Question. What instances can you specify when other persons have taken names for the registers?

Answer. Not at the last election; at a former election I knew of one instance.

JOHN FARRELL.

Attest:

A. D. RUSSEL, *City Judge.*

John Farrell recalled.

Examined by Mr. ANTHON:

Question. At the last November election, was there at any time any disturbance created by any person in the poll-room?

Answer. During the election?

Question. Yes, during the election.

Answer. I don't know that there was; there might have been a little trifling thing.

Question. Do you remember any disturbance occasioned by Mr. Geoghegan, or any one about him, at the time of the presenting of any particular vote?

Answer. Not more than what I usually see occur at polls—some votes disputed, and others not.

Question. You did not see any row produced to cover the retreat of any person, or for any other purpose?

Answer. No, I was inside; but there was one person I remember there, and Mr. Geoghegan made a remark that it was not fair, and that he should be put out.

Question. That is not the one I allude to; I speak of a person offering to vote, and the person offering to vote being taken away.

Answer. Can't remember it; it might have occurred; the boxes were so near the bar that it might have occurred immediately outside of the door, and I not have seen it.

Cross-examined by Mr. PHELPS:

Question. Do you remember a friend of Mr. Geoghegan being challenged?

Answer. There were several challenged, and they might have been friends of Mr. Geoghegan without my knowledge.

Question. Of those who were challenged, did any prove their right to vote, and vote subsequently?

Answer. I am not sure, but I think Mr. Geoghegan swore in some men's votes that were challenged; I am not certain; it strikes me very forcibly that he did.

Question. You recall no instance where a person offering to vote was challenged, and then withdrew, and at the time of his withdrawal there was excitement and a disturbance, in which Mr. Geoghegan took part in an assault on a policeman?

Answer. I don't remember any instance of that kind.

Question. Might it have occurred?

Answer. It might, in the street, but not in the room.

Question. How near the door?

Answer. It might be five feet from the door to the platform where the boxes were; two or three persons would fill the place up, together with those who came in to vote.

JOHN FARREL.

Attest:

A. D. RUSSEL, *City Judge.*

Roscoe H. Channing sworn.

Examined by Mr. ANTHON:

Question. Your residence?

Answer. 37 West Eighteenth street.

Question. And your profession?

Answer. Attorney and counsellor at law.

Question. Do you know Mr. Gideon L. Walker?

Answer. Yes, sir.

Question. How long have you known him, or known of him?

Answer. Something like three years.

Question. What is his character; is it good or bad?

Answer. I think it is bad, sir.

Question. In what respect?

Answer. Bad in his reputation as a lawyer, and bad in his reputation for truth and veracity.

Question. On what is your opinion founded?

Answer. On information derived from third parties, and also from personal contact with him in his profession.

Cross-examined by Mr. PHELPS:

Question. Will you please state a little more specifically what the nature of that information was, and what the nature of that personal experience was?

Answer. The information is derived from one person by the name of Cleary, who was, as represented by Cleary, an associate of Mr. Walker. I have seen him very frequently in his company, and he stated, incidentally, in conversation with me, that he and Mr. Walker were in the habit of frequenting ——; I forget the place, but by the description it was some groggery or porter-house, and were in the habit, on various occasions, of playing with the inmates or habituaries of the place some game of chance, and also drinking and gambling there, and that he had been requested at different times to do acts which he thought—without stating explicitly what they were—which he thought were not honorable. As an instance——

Question. Excuse me for interrupting you. What is the occupation of Mr. Cleary?

Answer. I think he was a marshal or constable, and subsequently I think he was attached to the enrolment bureau in some way. I knew him only incidentally, having employed him as a constable. The other matter was a statement of a Mr. Brown, who, in conversation, stated that he had had some criminal proceedings, if I am not mistaken, in Brooklyn, in which Mr. Walker was charged with some misdemeanor or crime, and had been arrested and confined in the jail there for some length of time on that charge. Mr. Brown had been opposed to him, and he instituted the proceedings, and the fraud developed on the examination satisfied him that Walker was a perfectly unprincipled man.

Question. Did he state what was the nature of the fraud?

Answer. I think he did, at the time; it occurred some time since—some six or eight months since—and I have had no occasion to recall it. I don't know that I can state specifically what it was. I know he referred to it incidentally, as it respected the character of the man.

Question. Mr. Brown was the attorney?

Answer. He was acting against Mr. Walker. My personal experience is connected with a motion I made in the common pleas. He opposed the motion and introduced his own affidavit, alleging some substantive fact, which the justice deemed of such vital importance as to give me the liberty to introduce counter affidavits, and I did so from three persons, who denied point blank the fact which he alleged under oath.

Question. Was not the fact which he stated in his affidavit positive, while the denial which you made was a negative, as to the circumstances?

Answer. Yes, sir.

Question. In other words, in his affidavit he said something was done, and they in theirs——

Answer. And they alleged directly the opposite as positively, from their personal knowledge.

Question. Was the fact one of doing a thing, or hearing a thing?

Answer. My impression is that it was something connected with his action as to my client. Some proposition that he made that was unprofessional in its character. He approached my client with an offer which was included in his affidavit in such manner that the decision of the motion turned upon that allegation in his affidavit. Counter affidavits were introduced, and the motion was decided, on my affidavits, adversely to Mr. Walker. His manner and language at that time gave me no exalted opinion of him as respects his adherence to truth. He evinced a disposition to torture it and make use of falsehood for his own advantage. The other instances of my experience have not been directly affecting his character, but have manifested sharp practice, that is all.

Question. Is it your impression that Mr. Walker was a drinking man, from what you have seen of him?

Answer. I have not seen enough of him, sir, or at such period of the day that I could tell, and I don't deem myself an expert as to the external experience of a man as indicating drunkenness.

Attest: ROSCOE H CHANNING.

A. D. RUSSEL, *City Judge.*

William Boyce called as a witness.

Mr. Phelps objects to the examination of the witness on the ground that the requisite notice of his examination has not been given.

Mr. Waterbury states that Mr. Boyce is called to disprove the statement of

Mr. Burchill, that Mr. Boyce said he had voted for Mr. Dodge at the last congressional election.

The judge excludes the witness.

John Murray recalled.

Examined by Mr. ANTHON:

Question. You have been examined in this case before, have you not?

Answer. Yes, sir.

Question. Do you know Mr. Wm. Boyce?

Answer. I know him by sight.

Question. You have heard him excluded here as a witness, have you not?

Answer. Yes, sir.

Question. Have you had any conversation with him in this room on the subject of his vote at the last election?

Answer. None before I saw him here to night.

Question. What did he tell you?

Answer. He said he voted for Mr. Brooks.

Cross-examined by Mr. PHELPS:

Question. Did he tell you where he voted?

Answer. In the third district.

Question. Did he mention the polling place?

Answer. No, sir.

Question. Did he say where he lived?

Answer. At 130 East Thirty-first street.

Question. Do you know whether 130 East Thirty-first street is in the third district?

Answer. I do not, sir.

Question. Did you ask him if he read his ticket?

Answer. I did not, sir.

Question. Did you ask him how he knew he voted for Mr. Brooks?

Answer. No, sir.

Question. Did you ask him if he was a democrat or republican?

Answer. I did not.

Question. Did you ask him how long he had lived at 130 East Thirty-first street?

Answer. No, sir.

Question. He simply told you that he voted for Mr. Brooks?

Answer. Yes, sir.

Question. If he had told you previously that he voted for Mr. Dodge, which would you believe he had voted for?

Answer. I would believe him.

JOHN MURRAY.

Attest: A. D. RUSSEL, *City Judge.*

Mr. Anthon offers to produce Mr. Boyce for cross-examination if desired by Mr. Dodge's counsel.

Mr. Phelps says no.

Charles Boyle sworn.

Examined by Mr. ANTHON:

Question. Where did you reside on the day of the general election in November last?

Answer. At 253 East Fifteenth street.

Question. Did you vote at that election?
Answer. I voted at the presidential election.
Question. Do you still live at 253 East Fifteenth street?
Answer. Yes, sir.
Question. How long have you lived there?
Answer. Can't exactly say, seven or eight years; I have lived in this district since July 1848.
Question. Do you know Patrick McMahon?
Answer. Yes, sir.
Question. Where does he live?
Answer. At 255 East Fifteenth street, the next house to mine.
Question. Did he live there on the day of the last general election?
Answer. Yes, sir.
Question. Do you know whether or not he voted at that election?
Answer. I know he voted.
Question. Do you know Michael Hanagan?
Answer. Don't know him by that name. I know the man; he lives at 255 East Fifteenth street.
Question. Is his name at all similar to Hanagan?
Answer. I know Francis Trainer, John Trainer, Patrick O'Neil, and Mr. Murphy; in fact, I know all who live in the house, but do not remember their names.
Question. You do not remember Michael Hanagan?
Answer. No; not now.

Cross-examined by Mr. PHELPS:

Question. How long has Patrick McMahon lived at No 255?
Answer. Don't know how long; can't remember. He came there somewhere after the 4th of July; it was some time afterwards.
Question. Are you sure he lived there in November?
Answer. Yes, sir. He is my brother-in-law. He got married on the 4th of July; some time after that time he came to live there.
Question. Whom do you pay rent to?
Answer. Mr. Kelly, who lives at No 251.
Question. Does Mr. McMahon pay his rent to the same man?
Answer. Yes, sir.
Question. Do you know about all the voters who live in your house, by name?
Answer. I cannot recollect the names; I know them all.
Question. Do you know a Michael Hanagan there?
Answer. I don't recollect the name, but I may know the man.
Question. You don't remember the name now?
Answer. No, sir.

CHARLES BOYLE.

Attest: A. D. RUSSEL, *City Judge.*

John M. Tracy sworn.

Examined by Mr. ANTHON:

Question. Your residence?
Answer. 192 East Thirty-ninth street.
Question. How long have you lived at 192 East Thirty-ninth street?
Answer. From the 1st of last September.
Question. How long have you resided in the Twenty-first ward?

Answer. Twenty-five or twenty-six years, I can't recollect which.

Question. Are you familiar with the ward and with its inhabitants?

Answer. I have lived in that district twenty years next July.

Question. Are you familiar with the inhabitants of that district?

Answer. Yes, sir; to a certain extent.

Question. What election district is that?

Answer. Seventh election district.

Question. Have you heard the testimony here of Russell Myers and Stephen Geohegan, or either of them?

Answer. I heard Geohegan's testimony.

Question. Have you ever inquired in the Twenty-first ward in reference to the names of voters there?

Answer. Yes, sir.

Question. Be kind enough to state the result of those inquiries.

Answer. E. Delmight, as the name was according to the list you handed me which Myers testified to, 545 Third avenue, should be E. Delmage.

Question. Where does he live?

Answer. 545 Third avenue. Mr. Roche is stated at 567 Third avenue; I found the house was 541 Third avenue.

Question. That is in the seventh election district, is it not?

Answer. Yes, sir. John Bruner, 547 Third avenue, I found was John Burns. Thomas Movine, 553 Third avenue, I found was Thomas Moran. A. P. Showanton, 539 Third avenue, is also on the list of Myers; the only name I found on the poll-list of the election anything like it was A. B. Thornton.

Question You found no A. P. Showanton?

Answer. Neither on the poll-list nor on the register.

Question. You found A. B. Thornton?

Answer. Yes, sir; on the poll list, at 539 Third avenue. Patrick Levens, 726 Third avenue, resides at 726 Second avenue; they have mistaken Third for Second.

Question. Did you find the same name on the poll-list, as residing in the Third avenue?

Answer. There is only one on the poll-list; Hugh Barney, 442 Third avenue, I cannot find on the poll-list. I found Hugh Barney, 547 Third avenue, which is in the district. I can't find any name like Robert Parler, as it is on Myers's list, on the poll list.

Question. You cannot find any name on the poll-list of that kind?

Answer. I think I looked over it, and there is no Robert Parler.

Question. You did not find a Robert Parr or a Robert Porter on the poll-list?

Answer. No, sir. James Smith, 145 East Thirty-eighth street, is on Myers's list. He is the fellow they call "Bottom." I made inquiries as to whether he lived there, and Collers told me he boarded with him at that time.

Question. Who is Coller?

Answer. He is a young man who lives there with his father and mother. Otto Ahen, on Myers's list, is Otto Ahrens, 201 East Thirty-eighth street, as mentioned on Myers's list, between First and Second avenues.

Question. You did not find the two names Ahen and Ahrens on the poll-list?

Answer. No, sir; one lives on Second avenue and another on Dutch Hill. There are two Winns; one of them lives now 744 Second avenue. One Patrick lives on the hill. They are both old residents there. John Capet, 443 Thirty-eighth street, I find is 143 Thirty-eighth street. 443—there is no such number.

Question. 143 is in the district?

Answer. Yes, sir.

Question. Did you find on the poll-list one residing at each place?

Answer. No, sir. Francis Conta is on Myers's list. The only name I can

Answer. He was colonel in the sixth brigade.

Question. He is a celebrated character about New York?

Answer. Yes, sir. I met him the other day and asked him if he did not live there, and he said yes; he said I understand that Butcher Myers says I don't, and also says that I am in the habit of committing perjury, and that if I should see him I should give him his compliments and say he was not on it. John Lark, 114 East Fortieth street, should have been 140 East Fourteenth street. Lark—I don't know him personally; I made the inquiry, and was told he lived there. Robert Teely, jr., 120½ Fortieth street, should have been 130½. Abraham Terhune, 130 Fortieth street, whom Myers says he couldn't find, lived there. I have known him for several years; it is a kind of double house. Charles Berder, 134 Fortieth street, should be Chas. Benden; he lives there, 134 Fortieth street. Wm. Yelmer, 148 Fortieth street, should be Wm. Zellner, 138 Fortieth street. Chas. S. Kelsoe: I find no such name as that on the registry list, for it is one of those names spelled wrong. Hendricks, whom Myers couldn't hear of, I inquired for at 152 East Fortieth street, and am told he lives there. Wm. T. Ryan, 153 Fortieth street, I found on the poll-list; it was Ryer, 152 Fortieth street, in the district, and not 153, as Myers says.

Question. Did you find by examining the poll-list that the name is not Ryan but Ryer?

Answer. Yes, sir. Isaac L. Lent, 174 Fortieth street; he lives at 174 Thirty-ninth street; he is a sergeant of police; there is only one Isaac Lent who lives there, or on the poll-list. T. B. Plankhard: I have not got the residence as Myers gave it; I find a Francis Plankhard, 146 East Thirty-ninth street. Thomas Hannehan; I found his name is Thomas Hannahan; there is only one on the poll-list. I have not the residence of William Kelly, East Fortieth street, on the hill; it should be East Thirtieth street; he lives there.

Question. You know him?

Answer. Yes, sir; I was speaking to him the other day; I asked if he was dead, as Myers said he was, and he said no. I. Worgan should be I. Waggand; Mr. Myers has got it 720 Second avenue; I found it 728 Second avenue; he is a baker.

Question. Did you find the two names on the poll-list?

Answer. No, sir; only the one Benjamin B. Barker, 755 Second avenue, and Henry C. Bavan, of the same place; that was the old number; the number now I cannot exactly say what it is, but I know the house he lives in; it is up stairs from the lager-beer saloon; he is in the district. John Dunn, 785, should be John Done, 744 Second avenue; Henry C. Benan is Henry C. Bevin; he is a German, and keeps a grocery store in the district. Christian Nohouse should be Christian Nohans; lives at 728 Second avenue; the old number is 748, which Myers has given—he is in the district. Thomas Kane, 569 Second avenue, according to Myers, lives at 569 Third avenue; he keep a shoe store. Michael Leary lives on the hill; the name should be Michael Leven—an old shoemaker; he lives in Fortieth street now. Edward Kerrigan: don't know who it is unless Edward Karigan; he lives on the hill. Robert Walker lived there for years, and I know him. Peter Golding lives at 728 Second avenue, instead of 725. David Montgomery, 547 Second avenue, should be 547 Third avenue; I know him, and he lives at 547 Third avenue, in the district. Thomas Ashboard should be Thomas Ashford, an old voter, at 551 Third avenue. Michael Buddwell, 744 Second avenue, should be Nicholas Bunger; did not find it on the last registry list that was copied from the poll-list. Charles Baylin, on the hill, should be Charles Boylen; he is an old man. Charles W. Smith, 569 Second avenue, should be 569 Third avenue; he lives in the same house with Kane. T. Rider, 139 East Thirty-eighth street; I am informed that he did live there at the time. Peter Harland, 137 East Thirty-eighth street; he does live there. Thomas Rowell, 145 East Thirty-eighth street; he lives there.

Question. McAllarney you know personally?

Answer. Yes, sir. Peter Mayloff; I don't know how to spell it, but I see it is on the registry list, and I think it is Maeloef.

Question. And he lives there?

Answer. Yes, sir; I know him personally Peter Marrin, as Myers spells it, is Peter Menan; Peter Marrin I can't find on the poll list.

Question. You know where Menan lives?

Answer. Yes, sir; and I know he lives on the hill.

Question. You don't find the name Marrin on the poll-list?

Answer. I did not look over it well. Mr. Haylin, as it is on Myers's list, should be Haelon; he lives there. There is a Pat. Lynch, I can't find out anything about him, and I looked on the registry list that was copied from the poll-list, and the only thing I can come near to it is Daniel Lynn.

Question. When you speak of the registry list copied from the poll-list you mean the December returns copied from the November poll-list, signed by the registers?

Answer. Yes, sir. There is a Hugh Gormly; his nick-name is Slugy; he works at manure there.

Question. Do you know Gormly yourself?

Answer. Yes, sir; J. Hahn.

Question. Do you know Mr. Hahn?

Answer. Yes, sir; this Hahn is evidently a German name, and Hahn does live there and in the district. There is Denly—as near as I can come, is Denninny; I know him.

Question. Where does he live?

Answer. Corner Twenty-ninth street and Second avenue; that is the address given to Denninny on the poll-list.

Question. That is the address given to Denninny in the poll-list?

Answer. Yes, sir; he worked in the Second avenue railroad stables, I think, at one time. Jack Tinnam, or Finnam, I can't make out which Myers means it for; I believe it is Timnor, and he lives on the hill. Francis Bradley—I found he votes there, and voted there a long time; Mr. Geohegan said he did not live there, but I suppose he does; he enlisted in November for a year, and has not been home long.

Question. His last residence was round there?

Answer. Yes, sir; on the hill in the seventh district; he used to live there with his brother-in-law, Harry Dixet. John Golden: I asked him if he lived there, and he said he did not live there now, but boarded there at the time of the election; he is a car-driver on the Third Avenue railroad. I found a John Ellsner on the hill; according to Myers, he didn't live there; and I found a John Ellstner, 740 Second avenue; he lives next door to the house I live in. Peter McNary, I find here on Myres's list, it is McNeeny; he is a junk man, and lives on the hill, and hired there a week or two ago. Eugene Sullivan, 140 East Fortieth street; Myers says he can't be found; he lives there.

Question. Do you know him?

Answer. Yes, sir; James J. Broas, as Myers spells it, is James J. Boas, a pie-baker.

Question. And living at 144 East Fortieth street?

Answer. Yes, sir, and a republican, too. Hugh Killeen, 164 Fortieth street, Myers says he can't find; he is all right; he lives there; he is a butcher; he lived there several years. Samuel Van Duzer, 164 Fortieth street, should be 144 Fortieth street, a mistake in the number.

Question. You know him, and know that he lives there?

Answer. Yes, sir. John S. Austen, 106 Fortieth street, should be 166 East Fortieth street, in the district.

Question. Who is John S. Austen?

Answer. He was colonel in the sixth brigade.

Question. He is a celebrated character about New York?

Answer. Yes, sir. I met him the other day and asked him if he did not live there, and he said yes; he said I understand that Butcher Myers says I don't, and also says that I am in the habit of committing perjury, and that if I should see him I should give him his compliments and say he was not on it. John Lark, 114 East Fortieth street, should have been 140 East Fourteenth street. Lark—I don't know him personally; I made the inquiry, and was told he lived there. Robert Teely, jr., 120½ Fortieth street, should have been 130½. Abraham Terhune, 130 Fortieth street, whom Myers says he couldn't find, lived there. I have known him for several years; it is a kind of double house. Charles Berder, 134 Fortieth street, should be Chas. Benden; he lives there, 134 Fortieth street. Wm. Yelmer, 148 Fortieth street, should be Wm. Zellner, 138 Fortieth street. Chas. S. Kelsoe: I find no such name as that on the registry list, for it is one of those names spelled wrong. Hendricks, whom Myers couldn't hear of, I inquired for at 152 East Fortieth street, and am told he lives there. Wm. T. Ryan, 153 Fortieth street, I found on the poll-list; it was Ryer, 152 Fortieth street, in the district, and not 153, as Myers says.

Question. Did you find by examining the poll-list that the name is not Ryan but Ryer?

Answer. Yes, sir. Isaac L. Lent, 174 Fortieth street; he lives at 174 Thirty-ninth street; he is a sergeant of police; there is only one Isaac Lent who lives there, or on the poll-list. T. B. Plankhard: I have not got the residence as Myers gave it; I find a Francis Plankhard, 146 East Thirty-ninth street. Thomas Hannehan; I found his name is Thomas Hannehan; there is only one on the poll-list. I have not the residence of William Kelly, East Fortieth street, on the hill; it should be East Thirtieth street; he lives there.

Question. You know him?

Answer. Yes, sir; I was speaking to him the other day; I asked if he was dead, as Myers said he was, and he said no. I. Worgan should be I. Waggand; Mr. Myers has got it 720 Second avenue; I found it 728 Second avenue; he is a baker.

Question. Did you find the two names on the poll-list?

Answer. No, sir; only the one Benjamin B. Barker, 755 Second avenue, and Henry C. Bavan, of the same place; that was the old number; the number now I cannot exactly say what it is, but I know the house he lives in; it is up stairs from the lager-beer saloon; he is in the district. John Dunn, 785, should be John Done, 744 Second avenue; Henry C. Benan is Henry C. Bevin; he is a German, and keeps a grocery store in the district. Christian Nohouse should be Christian Nohans; lives at 728 Second avenue; the old number is 748, which Myers has given—he is in the district. Thomas Kane, 569 Second avenue, according to Myers, lives at 569 Third avenue; he keep a shoe store. Michael Leary lives on the hill; the name should be Michael Leven—an old shoemaker; he lives in Fortieth street now. Edward Kerrigan: don't know who it is unless Edward Karigan; he lives on the hill. Robert Walker lived there for years, and I know him. Peter Golding lives at 728 Second avenue, instead of 725. David Montgomery, 547 Second avenue, should be 547 Third avenue; I know him, and he lives at 547 Third avenue, in the district. Thomas Ashboard should be Thomas Ashford, an old voter, at 551 Third avenue. Michael Buddwell, 744 Second avenue, should be Nicholas Bunger; did not find it on the last registry list that was copied from the poll-list. Charles Baylin, on the hill, should be Charles Boylen; he is an old man. Charles W. Smith, 569 Second avenue, should be 569 Third avenue; he lives in the same house with Kane. T. Rider, 139 East Thirty-eighth street; I am informed that he did live there at the time. Peter Hailand, 137 East Thirty-eighth street; he does live there. Thomas Rowell, 145 East Thirty-eighth street; he lives there.

Thomas Beaty; I expect that it should be Beally; he is a fiddler; everybody knows him, and he lives in the district. Lawrence Dugan lived on the hill; he boarded at that time with his brother, Kelly Hogan; I made inquiries yesterday. Thomas Mulby, in Thirty-eighth street on the hill; he lived in Thirty-eighth street, between Second and Third avenues; he is a ship carpenter; lives now in Forty-sixth street; he lived in the district at the time of the general election in November. The other names on Myers's list I did not look for, as I had other business.

Question. You have only been engaged a portion of the time in making these inquiries?

Answer. I had other business to do; I have been looking over the registry list and that copy of the poll-list that Myers had, and you gave me; there are a good many names I could not make out; I had to refer to the registry lists, and, being familiar with the names, I recognized a good many in that way.

Question. How were the names spelled on that poll-list?

Answer. A great many were misspelled.

Question. How does the list of Mr. Myers compare with the poll-list? Is that a correct transcript or not?

Answer I have got a copy of the registry list that was copied from the original poll-list of the November election, and they both do not correspond.

Question. Does Mr. Myers's compare with that list?

Answer. No, sir.

Question. Mr. Myers's differs from either of them?

Answer. I have not seen the original poll-list.

Question Will Mr. Myers's list differ from your list also?

Answer. Yes, sir.

Question Do you consider yourself as having thoroughly investigated all these, or only as having partially looked at them?

Answer. I did not have time to go through the whole of them.

Question. It is only a partial examination of this list?

Answer. I could not have time

Question. Do you know whether poll clerks are generally accurate in getting the names of voters or not?

Answer I know directly to the contrary. I have been register so often, and clerk to the register, and know that there are a great many names that strangers when they would come to be registered could not ascertain, and my being familiar with the names I could recognize them.

Question You say that the poll clerks took names incorrectly and spelled them incorrectly?

Answer. It is invariably the case in that district.

Cross-examined by Mr. PHELPS:

Question. The first thing I want to do is to correct what might be a misinterpretation of Mr. Anthon's question. He asked you if you saw certain names upon the original poll-list. I want to know if you had the original poll-list of this election?

Answer. I have got a copy.

Question I understand you had a register which was used for the December election. I want to know if you have the poll list that was made up on the 8th November?

Answer. I have a registry list that was made up from that poll-list and signed by the registers.

Question I understand that.

Answer. I have not the original poll-list.

Question. Then any remarks which you have made as to names being upon the poll-list would have been more accurately made if you had stated upon the register you had?

Answer. Yes, sir. Repeat that question.

Question Mr. Anthon asked you if the name was upon the poll-list. You stated yes or no; and if you had no poll-list you could not state whether it was upon the poll-list or the registry.

Answer. I understood Mr. Anthon to mean the poll list that I got from Myers. I had, as I have often done before, to look at the old registry list to assist me to ascertain who they were.

Question. You say that E. Delmit did not live at 554 Third avenue?

Answer. E. Delmage.

Question. But no E. Delmit did live there?

Answer. Yes, sir.

Question. Do you know of a man named Delmage?

Answer. Yes, sir.

Question. Then you do know it was not intended for E. Delmit or E. Deluge?

Answer. Delmidge does not live at that number, and Delmidge's name is Michael.

Question. Did not Delmidge live at that same number, 545?

Answer. Don't know.

Question. You don't know where he lives?

Answer. I do, but can't tell the number now; it is about half way between the block, on Thirty-eighth and Thirty-ninth streets. He is a carpenter.

Question. Does any man by the name of Thomas Roche live at 567 Third avenue?

Answer. I don't know that I gave it as Thomas Roche.

Question Does he live at 567 Third avenue?

Answer. Don't know. Pat. Roche lives there

Question. What makes you think that Brunner was meant for Burns? Have you any other reason except the fact that you did not know Brunner and you did know John Burns?

Answer. That is all; and they both came from the same house.

Question. Do you know a Pat. Levins who lives at 726 Third avenue?

Answer. No, sir; that would not be in the district; but I do know one who lives at 726 Second avenue; it is the only Pat. Levins on the poll-list.

Question. Do you know Hugh Birney, who lives at 432 Third avenue?

Answer. No, sir; 432 is out of the district; 541 is the right number.

Question. Do you know a man named Robert Parlen, who lives at 253 Thirty-eighth street?

Answer. No, sir; there is no such number.

Question. Do you know James Smith, who lives in the district?

Answer. I do know him—yes, sir—but don't know where he is now.

Question. How long ago since you saw him?

Answer. Could not really say; some time during the winter.

Question. Where did he live when in the district?

Answer. At Keeler's house.

Question. Did he live there at the time of the election?

Answer. He used to stop there and at Degan's; I never associated with him much; I knew him to be there; I have made inquiries about him and know that he claims that as his residence.

Question. Which place, Keeler's, Degan's, or a place in the Eighteenth ward?

Answer. Keeler told me he boarded with him at the time of the last election.

Question. Do you know whether he did or not, aside from Keeler's statement?

Answer. Only from seeing the man coming out of the house, and, as the boys say, "hanging up around there."

Question. You say there were two Pat. Winns who lived upon the hill?

Answer. I said one lived on the hill and the other at 744 Second avenue; the old number was 760.

Question. Do you know a John Capet, who lives at 144 Third avenue?

Answer. No, sir.

Question. What makes you think that Francis Conta is meant for McCarty?

Answer. I am not positive about that name. I intended to inquire, and the only name I could recognize was McCarty.

Question. How long has John Brady been off to the war?

Answer. I think he went the first year of the rebellion, and has been home several times since; whether home at election I am not able to say; I am not positive. My impression is that he was.

Question. Do you remember seeing him on election day?

Answer. My impression is that I did.

Question. What time in the day did you see him?

Answer. I saw so many people I could not say that I saw him. I may have seen a great many men, but could not tell what time in the day I saw them.

Question. Is Pat. Mooney a brother-in-law of Supervisor Roche?

Answer. Pat Mooney is.

Question. Pat. Mooney does not live at 131 East Thirty-ninth street?

Answer. No, sir I know Pat. Murray there.

Question. Does Michael Jay live at 525 Second avenue?

Answer. No, sir.

Question. Does Michael Fay live on Dutch Hill?

Answer. Well, he had two residences. His mother lived on the hill, and his brothers. He kept a store and used to sleep in it, at 725 or 27 Second avenue, on the northwest corner of Thirty-ninth street.

Question. Do you know Henry Rudder, who lives at 113 East Thirty-ninth street?

Answer. No, sir.

Question. Do you know a party with a name similar to that residing at 113 Thirty-ninth street?

Answer No, sir.

Question. Do you know a John Keller, who lives at 541 Thirty-ninth street?

Answer. No, sir; there is no such a number.

Question. Then you don't know any man who could live at 541 East Thirty-ninth street?

Answer. No, sir.

Question. You say Levins said he knew Patrick Gerry; don't you know him at all?

Answer. No, sir; I can't from the name; I could recognize him, perhaps.

Question Do you know what part of the district he lived in?

Answer. I do not.

Question. Do you remember what else Mr. Levins said, except that he knew him?

Answer. That he was a boatman and lived in the district. Some of these boatmen have really no place of residence, except on the boat, and they claim their residence, probably, with the captain. There were two or three captains who lived in that district.

Question. Barney McGuire is another such boatman?

Answer. Yes, sir.

Question. There is Pat. Wint?

Answer. Pat. Winn.

Question. This Kerner Larkin, do you know about him—do you know him by sight?

Answer. Yes, sir, very well.

Question. Do you know that he has a right to vote?

Answer. If I don't mistake he was naturalized last fall; I think I recollect being down with him the day he was naturalized.

Question. Do you not know that he has no particular station or place of residence? In other words, don't you know he is a wanderer?

Answer. He has lived there for three or four years. I saw him going up and down the hill. I did not watch what shanty he went into. There are so many shanties I could not tell which one he went into.

Question. How long have you lived in that ward?

Answer. I have lived around there twenty years.

Question. How old is Mr. Larkin?

Answer. Don't know.

Question. Do you know he is of age?

Answer. I don't, sir.

Question. Do you think he is of age?

Answer. I presume he is; I presume he swore to it, or he could not be naturalized.

Question. Have you an impression?

Answer. Don't know, sir; he is a young man.

Question. What does Pat. Lynch do?

Answer. Don't know any such a man.

Question. You said you did know Peter Menan; what does he do?

Answer. Laborer.

Question. Where does Pat. Denby live?

Answer. Denniny—corner of Thirty-ninth street and Second avenue.

Question. Who does Francis Bradly live with when at home?

Answer. Before he went into the navy he boarded with his brother-in-law.

Question. Did you not hear he lived at Hunter's Point?

Answer. Not until the other night.

Question. Who does John Golden board with?

Answer. Don't know; he testified, with his mother.

Question. Are you sure where he stopped was not in the Nineteenth ward!

Answer. It was not. There are no shanties up there except one or two across the line.

Question. Do you know where his mother lives?

Answer. I don't, sir; they lived on the hill several years back; I don't know when they lived there.

Question. Does she not live between Fortieth and Forty-first streets?

Answer. Don't know where she lives now.

Question. She has lived there for years back?

Answer. Don't know; the whole family lived there for several years back; when they left it I don't know.

Question. If John S. Austin gave in his name when he voted as 106 Fortieth street, did he make that statement of his residence which was true?

Answer. If he stated it 106?

Question. Yes, sir.

Answer. No, sir.

Question. Does John Lank live at 143?

Answer. 143 where? (Witness refers to paper.) I can tell by referring to the paper; I don't know the man; I inquired of parties who lived around there.

Question. Did you inquire at the house itself?

Answer. I find he lives at 140 East Fortieth street.

Question. Did you inquire of 143?

Answer. I inquired of some residents in Fortieth street.

Question. But not of 143?

Answer. O no; that is in the Nineteenth ward, 143.
Question. Then you don't know but what John Lank may live at 143?
Answer. He may for all I know; I don't know who lives there.
Question. Does Rob. Feely live at 120½ Fortieth street?
Answer. No, sir; I did not inquire; it is 130½; don't think there is any 120½.
Question. Then, whoever voted under that name from 120½, voted illegally?
Answer. Yes, sir; if any such did vote.
Question. You don't know Mr. Yelmer, who voted from 148 Fortieth street?
Answer. No, sir.
Question. Do you know a Mr. Bellner, who voted from 138?
Answer. Yes, sir.
Question. Did you inquire at 148 for Mr. Yelmer?
Answer. No, sir.
Question. Where does Charles S. Kelsoe live?
Answer. I don't know.
Question. Where does Hendricks live?
Answer. 152 Fortieth street.
Question. Did you inquire at 152?
Answer. I think I asked for Mr. Kellen; he lives at 164; I did not go to the house, because if I went I would not find them, especially if I went there and took out a book.
Question. Isaac L. Lynt does not live in Fortieth street at all?
Answer. No, sir—in Thirty-ninth street; his name is Lent; he is a policeman.
Question. Do you know of there being one Wm. Kelly in your district?
Answer. There is only one on the poll-list.
Question. Are you sure that there is only one on the poll-list?
Answer. Well, I can find if I look over it.
Question. You are sure you looked on the poll-list, and not on the register, in making up your mind it was not Wm. Kelly?
Answer. I am not sure.
Question Then you are only sure that you looked on one, either the poll-list or the register?
Answer. I don't recollect of that particular name.
Question John Weigand does not live at 729 Second avenue?
Answer. There is no such number; he lives at 728.
Question. John Dunn—do you know if he lives at 755?
Answer. No, sir; 755 is not now in the district.
Question. Then John Dunn may live there?
Answer. The old number was in the district, but it is not there now.
Question. There is no Kane who lives in the Second avenue?
Answer. No, sir, in Third avenue; 547 Third avenue would be out of the district.
Question. Where does Peter Golden live?
Answer. 728 Second avenue; he lived there for several years back; I don't know whether he lives there now or not.
Question. Do you know at election time he lived there?
Answer. I think he did.
Question. Why do you think he lived there then?
Answer. He lived there for several years; I don't know whether he moved or not.
Question. That was only your presumption?
Answer. That is all.
Question. You know of no Michael Leary who lived on the hill?
Answer. No, sir.
Question. You know Robert Walker?
Answer. Very well.

Question. Was the old residence of Peter Golden in the district, supposing him to have moved?

Answer. 748 do you mean? It was the old number, but 728 is now the number.

Question. You don't know any man by the name of Michael Buddnell?

Answer. No, sir.

Question. I want to know whether you found any Michael Buddnell on the poll-list, or found none on the register?

Answer. I think I found none on the register that was copied from the poll-list, and my impression is I found none on the poll-list.

Question. Are you sure it was not on the list, or is it only an impression?

Answer. I am not certain.

Question. You are certain upon the register?

Answer. Yes, sir; I could not recognize any such name as that. Burgess lives in Second avenue; he is a good republican.

Question. What Lawrence Dugan lives in the Nineteenth ward?

Answer. I am not certain he lives there now, but at that time he boarded with Hoagen, his brother-in-law, in this ward.

Question. Do you know where Michael Burns lives?

Answer. No, sir.

Question. Were you register, or inspector, or canvasser, at this last election?

Answer. Canvasser.

JOHN M. TRACY.

Attest: A. D. RUSSEL, *City Judge.*

Charles Boyle sworn.

Examined by Mr. ANTHON:

Question. Do you know Andrew Cassidy?

Answer. Yes, sir.

Question. What is his business?

Answer. Carman.

Question. Do you know Peter Lanigan?

Answer. Yes, sir; I know a man by the name of Lanigan, but don't know that his name is Peter.

Question. Whereabouts does he live?

Answer. On this block, in avenue B.

Question. Do you know whether Cassidy and Lanigan voted at the election last November?

Answer. I don't.

Question Do you know Peter Hart?

Answer. Yes, sir.

Question. Do you know where he lives?

Answer. Yes, sir; in Fourteenth street, this side of the church, in those tal houses.

Question. Do you remember the number?

Answer. No, sir.

Question. Did he live there at the time of the election in November last?

Answer. Yes, sir.

Question. Do you know him personally?

Answer. Yes, sir.

Question. Do you know his business?

Answer. His business was stage-driving.

Question. Do you know Patrick McMahon?

Answer. Yes, sir.

Question. Do you know where he lived at the time of the last general election?

Answer. At 255 East Fifteenth street.

Question. Do you know Arthur Monagan?

Answer. Yes, sir; in Sixteenth street, near avenue C. He lived there at the last election.

Question. Do you know Thomas Clonan?

Answer. Yes, sir.

Question. Do you know William Hubert?

Answer. Yes, sir.

Question. Do you know where he lived at the time of the last November election?

Answer. 251 East Fifteenth street. We call him William Hubbard. He lived in this election district at the last election.

Question. Do you know Timothy Sullivan?

Answer. Yes, sir; in Sixteenth street; I don't remember the number. It is between avenues A and B, in this election district. He lived there at the last election.

Question. Do you know Patrick Gough?

Answer. Yes, sir.

Question. Where did he live at the time of the last general election?

Answer. In Sixteenth street, between avenues A and B, in the Fifteenth election district.

Question. Do you know Patrick Murphy?

Answer. Yes, sir; at 255 East Fifteenth street, in this election district.

Question. Do you know Michael Hickey?

Answer. Yes, sir.

Question. Do you know where he lived at the time of the election?

Answer. In Sixteenth street, near where Gough lived; also in this election district.

Question. Do you know John Finnan?

Answer. John Finnan; he lived in Sixteenth street, below avenue B—500 and something or 600 and something.

Question. He lived in this election district?

Answer. Yes, sir.

Question. Do you know Thomas Dempsey?

Answer. Yes, sir.

Question. Do you know where he lived in November?

Answer. Between avenues A and B, in Sixteenth street.

Question. Do you know C. H. Wentworth?

Answer. No.

Question. Do you know Francis McNiff?

Answer. Yes, sir.

Question. Where did he live in November last?

Answer. I am not sure. He lives in this election district, in Seventeenth street. I know him for years. I saw him at this poll.

Question. Do you know Thomas Hastings?

Answer. Yes, sir; I saw him at this poll on election day.

Question. Where does he live?

Answer. Between Fifteenth and Sixteenth streets, in avenue C, in the centre of the block.

Question. Did he live there in November last?

Answer. Yes, sir.

Question. Do you know whether he voted or not?

Answer. Don't know that he voted; I suppose he did; he owns the house he lives in.

Question. Do you know Andrew Finin?

Answer. Yes, sir.

Question. Do you know where he lives?

Answer. Around the corner here somewhere; he is a brother of John Finnan.

Question. Do you know John Trainor?

Answer. Yes, sir; he lives at 253 East Fifteenth street.

Question. Do you know Nicholas Clark?

Answer. Yes, sir.

Question. Where does he live?

Answer. I am not sure of the number; somewhere about avenue B; I am well acquainted with him for years.

Question. Do you know Owen Burns?

Answer. Yes, sir.

Question. Where does he live?

Answer. 251 East Fifteenth street.

Question. Do you know Patrick Callaghan?

Answer. Yes, sir.

Question. Where does he live?

Answer. In the house that Cassidy lives in, in Fifteenth street, I think.

Question. Are you familiar with this neighborhood?

Answer. Yes, sir.

Question. Do you know many residents in this portion of the city?

Answer. A great many; more than I know the names of.

Question. How do you happen to know so many persons; is there any special reason why you should be so well acquainted with them?

Answer. I have lived in this district some eighteen or twenty years.

Question. Do you belong to any society or organization that brings you in contact with them?

Answer. I belong to a total abstinence society?

Question. In that way have you become intimate with many persons connected with it?

Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. Does Mr. Lanigan belong to that society?

Answer. No, sir.

Question. Does Patrick McMahon?

Answer. Yes, sir.

Question. Does Thomas Clonan?

Answer. No, sir.

Question. Does William Hubert?

Answer. Yes, sir.

Question. Does Patrick Murphy?

Answer. Yes, sir.

Question. Does John Finnan?

Answer. No, sir.

Question. Does Francis McNiff?

Answer. No, sir.

Question. Does Thomas Hastings?

Answer. No, sir.

Question. Does John Trainor?

Answer. Yes, sir.

Question. Does Patrick Callaghan?

Answer. He does not.

Question. What are the boundaries of the fifteenth election district?

Answer. Fourteenth street on this side, Seventeenth street, I believe, avenue A, and the river.

Question. How high up north does the district extend?

Answer. This side of Seventeenth street.

Question. You said you did know the number of the house that Cassidy lived in?

Answer. He lived in Fifteenth street, between avenues A and B. It is the third house.

Question. You don't know any Andrew Cassidy, who lives at 269 East Fourteenth street?

Answer. No, sir.

Question. Do you know a Peter Lannegan, who lives in avenue B?

Answer. I know a Mr. Lannegan, but I don't know whether his name is Peter.

Question. He lives in avenue B, near what street?

Answer. I am not sure where he lives. I know he lived around about this corner somewhere; I see him every day.

Question. Then the most you would be willing to assert is, that you have seen a man often by the name of Lannegan around this corner?

Answer. That is all.

Question. Was Peter Hart a member of your society?

Answer. No, sir.

Question. Do you know where he lives?

Answer. In Fourteenth street, between avenues A and B; I know him to be there over a year.

Question. Has he a family?

Answer. He has, I believe.

Question. Is Patrick McMahon married?

Answer. Yes, sir.

Question. Is Arthur Monagan?

Answer. Monahan.

Question. You are sure he lives in Sixteenth street?

Answer. Yes, sir.

Question. Do you know one who lives in Fifteenth street?

Answer. No, sir.

Question. Do you remember the number of the house that Thomas Clonan lives in?

Answer. No, sir.

Question. Does he live in a stable or a tenement house?

Answer. Tenement house, corner of avenue B and Fifteenth street.

Question. You don't know a William Hubert?

Answer. I know a William Hubbard.

Question. At what number?

Answer. 251 East Fifteenth street.

Question. You don't know any William Hubert, who lives in Sixteenth street?

Answer. No, sir.

Question. Do you know a Patrick Slevin?

Answer. I know Patrick Sullivan.

Question. Do you know what relation he is to Timothy?

Answer. I know two Patrick Sullivans; I know one a brother to Timothy.

Question. Does Timothy live with his brother?

Answer. Not with the brother I mean; I believe he has a family himself.

Question. Patrick Murphy you say lives at 255 East Fifteenth street?

Answer. Yes, sir.
Question. Between what avenues?
Answer. Between avenues A and B, in the centre of the block.
Question. Does Michael Hickey live with his wife?
Answer. No; he boards in Sixteenth street.
Question. What does he do for a living?
Answer. He is a manure man; he is in the manure business.
Question. Is he a steady fellow?
Answer. Yes, sir; very.
Question. Do you know at what number Thomas Dempsey lives in Sixteenth street?
Answer. No, sir.
Question. Is Dempsey married?
Answer. Yes, sir.
Question. You don't know where Francis McNibb lives?
Answer. He lives around here somewhere.
Question. How do you know he lives in this district?
Answer. Well, I have known him for years living in this district.
Question. How long has this district been in existence?
Answer. I mean the congressional district.
Question. When you say a man lives in this district, do you mean the congressional district, or only in the case of this one person?
Answer. That is all.
Question. You say that Andrew Finnen lives in this district?
Answer. Yes, sir; I know he lives around here.
Question. Where does he live around here?
Answer. Can't say the number; between Fifteenth and Sixteenth streets.
Question. In what avenue?
Answer. In avenue B.
Question. How far from the corner?
Answer. Don't know; but in that block.
Question. What makes you think he lives in that block?
Answer. I say the block; I generally see him around there in going home; he goes in that direction, and I see him daily around this corner.
Question. Then if you should see him around this corner, and see him moving toward this corner at nightfall, you should think he lives around here?
Answer. I have seen him for a long time.
Question. Do you know a Trainor who lives in avenue B?
Answer. A James Trainor.
Question. Do you know John Trainor?
Answer. Yes.
Question. Is James any relation to John?
Answer. I believe not.
Question. Does John live at 253 East Fifteenth street?
Answer. Yes, sir.
Question. And Patrick Callaghan lives in the house with Cassidy?
Answer. Yes, sir.
Question. Patrick Callaghan does not live at 281 avenue B?
Answer. Not this Patrick Callaghan.
Question. Do you know a Hugh McKeon?
Answer. I do.
Question. Where does he live?
Answer. I don't know exactly now, but would know his number; he belongs to our society, and I have his number.
Question. Have you seen him lately?
Answer. About two weeks ago; this day week, or two weeks this day.

Question. Do you know Thomas Keisman?
Answer. No.
Question. John Besstick?
Answer. I know two or three Bessticks, but I don't know their Christian names.
Question. Do you know William Fitzpatrick?
Answer. No, sir.
Question. Do you know Thomas Henry?
Answer. No, sir.

Re-examined by Mr. ANTHON:

Question. Do you know a Mr. Conway who lives at 263 East Fifteenth street?
Answer. Yes, sir.
Question. Do you know his first name?
Answer. Don't know; he lives across the way; that must be an even number.
Question. Where does Conway live now?
Answer. At the same number; I think he owns the house.
Question. Do you know some people named Kane?
Answer. Yes, sir.
Question. How many of them are there?
Answer. A great many.
Question. Do you know some in the Twenty first ward near Second avenue?
Answer. Yes, sir; I know Thomas and Michael Kane, who live corner Second avenue and Thirty-ninth street—not exactly on the corner; they live in a little cottage.
Question. What is their business?
Answer. Manure-dealers.
Question. What sort of a house do they live in?
Answer. It is a little cottage-house, in the rear of the northwest corner.
Question. Do you know who built the house?
Answer. No, sir; they own the house.
Question. Are they father and son?
Answer. Brothers.

Re-cross-examined by Mr. PHELPS:

Question. Do you know what sort of a building No. 263 East Fifteenth street is?
Answer. No; except the house this side of the stables, where they are building new stables.
Question. Did you say you know, or do not know, Conway's first name?
Answer. I don't know his first name.
Question. In what street does he live?
Answer. In Fifteenth street; it must be an even number; it is across the way from where I live.

CHARLES BOYLE.

Attest: A. D. RUSSEL, *City Judge.*

Joseph Alcorn sworn.

Examined by Mr. WATERBURY:

Question. Where do you live?
Answer. At 249 East Fifteenth street.
Question. Where did you reside at the time of the presidential election in November last?
Answer. At that number.

Question. Did you vote at that election?
Answer. Yes, sir.

his
JOSEPH + ALCORN.
mark.

Attest: A. D. RUSSEL, *City Judge.*

Bernard K. Murphy sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?
Answer. 255 Seventh avenue, ninth district, Twentieth ward.
Question. Were you present at the polls, in that district, at the election in November last?
Answer. Most of the time.
Question. What time did you arrive at the polls?
Answer. I guess about ten o'clock in the morning; I was unwell in the morning and was not able to go earlier.
Question. State how that election was in regard to peace and order.
Answer. It was orderly—what I saw of it.
Question. Were you in the poll-room much during the day?
Answer. Yes, sir; all day.
Question. Did you see any violence?
Answer. None at all.
Question. No serious disturbance of any kind?
Answer. No, sir.
Question. Anything more than the usual talk in a poll-room at an election?
Answer. Nothing disorderly.
Question. Do you know Mr. Thomas E. Smith?
Answer. Yes, sir.
Question. Did you see him there?
Answer. Yes, sir.
Question. What was he doing there?
Answer. Well, electioneering and working around the polls, the same as on former occasions.
Question. Did you see him in the poll-room?
Answer. Yes, sir.
Question. What did he do? did he challenge?
Answer. Yes, sir; he challenged.
Question. Was he there most of the day?
Answer. I think he was.
Question. How late did you see him there?
Answer. When the poll was closed, or about that time.
Question. Did you see any violence offered to him?
Answer. None at all.
Question. Was he in and out of the poll-room during the day as much as he pleased?
Answer. Yes, sir.
Question. Were you there when the polls were closed?
Answer. Yes, sir.
Question. Was there any disturbance of any kind?
Answer. None at all.
Question. Do you remember any occurrence about some affidavits at the close of the polls?
Answer. I do not.

Question. How far is it from that poll to the Hoffman House, at which General Butler had his headquarters?

Answer. The Hoffman House is in Broadway, at Twenty-fifth street.

Question. About how many feet is that from that poll?

Answer. I could not state the number of feet; the poll was in Seventh avenue, between Twenty-sixth and Twenty-seventh streets.

Question. Is it not about four hundred feet from the place of that poll down to Twenty-fifth street?

Answer. Yes, sir.

Question. And how far from Seventh avenue to Broadway; are not the blocks each eight hundred feet.

Answer. Yes, sir.

Question. Is it not about two thousand feet from the place of the poll to the Hoffman House?

Answer. I should suppose it was.

Question. You know the length of these blocks; are there not two blocks between Seventh avenue and Fifth avenue?

Answer. Yes, sir; and Broadway and Fifth avenue come in there together.

Question. Well, is not that distance sixteen hundred feet?

Answer. Yes, sir.

Question. Is it not less than four hundred feet from that poll to Twenty-sixth street.

Answer. Yes, sir.

Question. And that would make the whole distance about two thousand feet?

Answer. Yes, sir.

Question. You are proprietor of the house at which the poll was held?

Answer. Yes sir.

Question. And you say no disturbance, of any kind, occurred during the election?

Answer. None at all.

Cross-examined by Mr. PHELPS:

Question. How much liquor was drank that day?

Answer. I could not tell that; did not see any person drunk at the polls; I believe it is not usual to take liquor at the polls.

Question. What time did you leave the poll to go to your dinner?

Answer. I don't know that I had any dinner.

Question. From ten o'clock till sunset you were around most of the time?

Answer. Yes, sir; in and out.

Question. What is your business?

Answer. Liquor dealer.

Question. Did you sell any liquor that day?

Answer They had the polls in my place, and I could not sell any liquor.

Question. But some of the proprietors of polling places did, and I want to know whether you did or not?

Answer. No, sir.

Question. Did you give any liquor away?

Answer. No, sir; the place was closed; the inspectors sat behind the bar.

BERNARD K. MURPHY.

Attest: A. D. RUSSEL, *City Judge.*

Adjourned till 9½ o'clock, Monday morning.

MONDAY MORNING, *April* 3, 1865.

Michael Roche sworn.

Examined by Mr. ANTHON:

Question. Where do you reside?
Answer. 297 Seventh avenue.
Quest on. What election district?
Answer. Tenth.
Question. What ward?
Answer. Twentieth.
Question. What were the politics of the majority of the inspectors in that district?
Answer. Republican.
Question. How did they conduct the election in respect to expediting or delaying the voting?
Answer. The same as usual, I think.
Question. Did they take the votes fast or slow?
Answer. I think they took them as fast as usual. There may have been a little delay about the votes of soldiers.
Question. Were any persons waiting to vote when the polls were closed?
Answer. Yes, sir.
Question. How many?
Answer. Somewhere about fifteen or twenty.
Question. How many during the day were compelled to leave without voting, in consequence of delay?
Answer. Some workmen had to go to work; I know two or three or four, to my own knowledge.

Cross-examined by Mr. PHELPS:

Question. There was no greater delay than ordinarily, Mr. Roche, was there?
Answer. Only in the soldiers' voting.
Question. There was no unnecessary delay in the case of the soldiers' votes—no foolish questions asked?
Answer. Not to my knowledge.
Question You think there were fifteen or twenty waiting at the closing of the polls?
Answer. About that.
Question. Do you know which way they would have voted?
Answer. I could not tell.
Question. Of those two or three who left, to your knowledge, can you give me the name of any one?
Answer. Don't know as I can, at present.
Question. Did they leave because they were laboring men?
Answer. They had business to attend to and could not wait.
Question. What time of the day was it?
Answer. Some left in the forenoon, and some in the morning, early, and some in the afternoon.

MICHAEL ROCHE.

Attest: A. D. RUSSEL, *City Judge.*

Rufus F. Andrews sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. At 14 West Thirty-seventh street, in the Twenty-first ward.

Question. What part did you take in the last presidential election?

Answer. A very active part in the election.

Question. In favor of whom?

Answer. In favor of Lincoln for President.

Question. Who for Congress?

Answer. Mr. Dodge.

Question. Do you know Mr. Thomas J. Barr?

Answer. Yes, sir.

Question. How long have you known him?

Answer. I have known him, I should think, twelve or fifteen years.

Question. Did you see him a short time previous to the last congressional election.?

Answer. Yes, sir, I saw him several times.

Question. At what place?

Answer. I saw him at my house; and I saw him once, I think, at the Leader office.

Question. Which was the last interview you had with him previous to the election?

Answer. The last interview, I think, was at the Leader office.

Question. About how long before election was that?

Answer. I think it was the Saturday preceding; that is my impression.

Question. When, next previous to that, did you see him?

Answer. I should think the Saturday or Sunday preceding.

Question. Where was that interview?

Answer. I saw him, I think, at my house.

Question. Did he go there by appointment, or at his own volition?

Answer. At his own volition, I suppose; he came and called for me, and wanted to see me.

Question. What conversation took place between you at that time?

Answer. Cannot recollect distinctly.

Question. As nearly as you can, if you please.

Answer. I think the conversation related to his remaining in the field as a candidate.

Question. What was said on that point?

Answer. I think he expressed an opinion that he should retire from the field. I think it was because he could not afford, under the circumstances, to enter upon a contest; it would require considerable money and a good deal of hard work.

Question. Did he say anything in regard to his prospects of success if he continued in the field?

Answer. I think he expressed the opinion that he would succeed if properly supported by his friends and those who desired he should remain in the field.

Question. In what way did he desire to be properly supported?

Answer. Pecuniarily.

Question. In any other way?

Answer. No, I think not. I don't think he said anything about our people working for him, or anything of that kind.

Question. What amount of pecuniary assistance did he state would be necessary?

Answer. He did not state specially to me.

Question. Did he give you any idea about the amount?

Answer. I think he mentioned it would require a few thousand dollars to get along with it; that he could not possibly afford the expense himself—he was not able to do it.

Question. Did you make any appointment with him or agree to do anything, at that meeting?

Answer. I told him I would see some members of the State central committee and mention the subject to them, (I was a member of the State central committee myself,) to see if there was anything that they could do in the matter.

Question. Was the time fixed when he was to meet you again?

Answer. I think it was fixed; at any rate, I did see him again.

Question. At what place?

Answer. I think the Leader office was the place.

Question. And the time was fixed?

Answer. Yes, sir.

Question. And the interview at the Leader office was in pursuance of that agreement?

Answer. Yes, sir.

Question. Between those two interviews whom did you consult upon the subject of payment of money to him?

Answer. I think I mentioned it to the executive committee.

Question. Whom did they consist of?

Answer. The men who were there at the time were Mr. Benjamin Field, and Mr. Jones, I think, and Mr. Harris; they were in and out. I did not speak to any man in particular, but to whoever I happened to find there.

Question. Did you speak to any other republican about it?

Answer. I recollect of speaking to Mr. Stewart.

Question. What Stewart, William R.?

Answer. Yes, sir.

Question. Any other republican?

Answer. Not any there; perhaps some in our own ward.

Question. Did you talk to any democrats on the same subject, between the times of those two interviews or previously—to any other democrat than Mr. Barr?

Answer. I should not be surprised but I did, but I don't remember distinctly.

Question. What time in the day was it that you saw Mr. Barr at the Leader office?

Answer. About one or two o'clock.

Question. Was anybody in the room with you?

Answer. Nobody in the room.

Question. Did you see anybody in the office?

Answer. Yes, sir; I saw the business men of the office. I think there were no politicians there. I think my interview with Mr. Barr was not in the presence of anybody.

Question. Did you, besides talking with Mr. Barr, talk with any member of the general committee of Tammany Hall or any other active or prominent democrat, upon the subject of helping Mr. Barr pecuniarily in the contest?

Answer. I can't remember of one; very likely I might have had conversation with several of them, but I don't know the members of the committee of Tammany Hall.

Question. You do some?

Answer. Yes, sir. I have no doubt I talked with several democrats upon the subject. I have some recollection of their speaking to me about it, but whether members of Tammany Hall or not I cannot say.

Question. What took place at the second interview, on Saturday before the election?

Answer. At the second interview, I think, I told him I had presented the subject to the committee, and that they were considering it and would take some action, as I supposed, in the matter. I saw Mr. Stewart. My interview with Stewart was on the same day, after I had seen Mr. Barr.

Question. On Saturday?

Answer. Yes, sir.

Question. What was the interview with Mr. Stewart?

Answer. I told him the conversation I had, and told him I was desirous that, if Mr. Barr remained in the field, he should do something for him; to which he replied he could not do anything himself.

Question. Did you see Mr. Stewart afterwards on the subject?

Answer. I think not; I don't think I was in town.

Question. At the interview at the Leader office was there much conversation?

Answer. Well, I should think we talked some time.

Question. What did Mr Barr say in regard to his prospects at that meeting?

Answer. He thought his prospects were very good. I think he expressed confidence that he could succeed if he was properly sustained pecuniarily.

Question. Did he say he expected republicans to sustain him to elect him over their own candidate?

Answer. No, he did not say that.

Question. He gave no reason why you should support Mr. Dodge, to pay money to help him?

Answer. Excepting that he should retire from the field, and that Mr. Brooks would then, of course, defeat Mr. Dodge.

Question. Then he did say that unless helped he should retire from the field?

Answer. Yes, sir.

Question. He said that?

Answer. Yes, sir; he said he could not stand the expense of carrying on such a fight.

Question. Was any amount mentioned at that interview on either side?

Answer. No, I think not at that interview.

Question. Did you tell him whom you had seen upon the subject?

Answer. I think I did.

Question. Whom did you tell him you had conversed with?

Answer. I told him I had conversed with some members of the central committee and the executive committee.

Question. Did you give him to understand that they would probably help him?

Answer. I told him I thought there would be some help from somewhere; that the subject was under consideration.

Question. Did you mention to him any amount that might possibly be given?

Answer. No, I did not, because I did not know exactly how he was to be helped or how much he would get; but I supposed if they were anxious to elect Mr. Dodge they would take some interest in it and provide the way.

Question. Did you consider that if you helped Mr. Barr with money, he might be elected?

Answer. No, I had not the least idea of it. I thought the contest was between Mr. Brooks and Mr. Dodge.

Question. The republicans you talked with on the subject—was it ever considered or talked of among them in any other aspect than as a means of aiding the election of Mr. Dodge?

Answer. At first I thought that Mr. Barr ran with the expectation of being elected.

Question. I am speaking now of the week previous to the election?

Answer. When he became weak-kneed, of course they were anxious to keep him in the field and abide by the result.

Question. With the republicans you talked to between the two last interviews you had with Mr. Barr upon the subject of pecuniary assistance, was it ever considered or discussed between you in any other aspect than as a means

of aiding the election of Mr. Dodge? I am speaking of the last week, and not of the previous conversations.

Answer. I think he expressed some opinion.

Question. I am not asking what he expressed, but what the republicans said?

Answer. Well, I talked with them in reference to keeping the divisions up, and if they expected to elect Mr. Dodge they would have to keep up the division; but that Mr. Barr in our conversation expressed confidence that he could succeed provided our people helped him.

Question. Then, among the republicans, it was considered solely in the aspect of a means of helping Mr. Dodge's election?

Answer. Yes, sir.

Question. Since you were so active in the election, perhaps you may know something about this contest. Whom have you conversed with in relation to the contest between Brooks and Dodge; did you speak to Mr. Dodge?

Answer. No, sir, it was a good while before the election that I spoke to Mr. Dodge; a year or two ago.

Question. You have not been much in the Dodge councils?

Answer. You know I was upon the stump.

Question. Have you talked with your republican friends about this contest between Mr. Dodge and Mr. Brooks?

Answer. I should think I had a good deal; it has been a subject of discussion in the Union League Club.

Question. Do you know Mr. Warren S. Taylor?

Answer. No, sir.

Question. Mr. Nathaniel Burchill?

Answer. Could not say; I may know him by sight.

Question. Mr. Gideon L. Walker?

Answer. I think I know Mr. Walker, but I won't be positive.

Question. Did you have any conversation with him?

Answer. Don't remember; there is a Mr. Walker I think I had some conversation with.

Question. Do you know Mr. Stephen Geoghegan?

Answer. I think not.

Question. Mr. Jenny, of the Tribune, do you know him?

Answer. I think not.

Question. Do you know Mr. John R. Hargin?

Answer. I think not; he has sprung up since I had a hand in running the machine in the ward, I presume.

Cross-examined by Mr. PHELPS:

Question. Had you any consultation with Mr. Dodge with reference to these negotiations with Mr. Barr, either while in progress or afterwards?

Answer. I think I spoke to Mr. Dodge during the canvass.

Question. Do you know whether the State central committee ever asked Mr. Dodge's advice or consent to any such negotiations?

Answer. Don't know that they did.

Question. This Mr. Walker, of whom you have heard, and whom you know, do you know whether or not he is an attorney or counsellor at-law?

Answer. Don't know that I know the Mr. Walker you refer to; there is a Walker that used to live in the Twenty-first ward that I have in my mind.

Question. Is he an old gentleman of eminently respectable appearance?

Answer. I should think he was.

Question. Did you ever hear anything against his character or general reputation?

Answer. No; I don't know that I ever did; but it is some years since I have been in the habit of meeting him.

Question. You have met him more than once?

Answer. Yes, sir; some years ago.

Question. And you never heard anything derogatory to his character as a member of the bar and a gentleman?

Answer. No; sir; I never did.

Question. You have had some connexion with the politics of this district and of the city, and have held the office of surveyor?

Answer. Yes, sir.

Question. You are also a member of the State central committee?

Answer. Yes, sir; but not of the executive committee.

Question. Generally, during the past three or four years, you have kept the run of the course of political events?

Answer. Yes, sir.

Question. Do you ever remember to have heard that Mr. Barr ran as a candidate of the whig party?

Answer. In this contest?

Question. In any contest?

Answer. No, I don't remember to have heard so.

Question. Did you ever hear that he ran as a candidate for any office in the know-nothing party?

Answer. No, sir.

Question. Do you know that he had affiliation with any other party except the regular democratic party of Tammany Hall?

Answer. That question of regularity I would not like to be called upon to swear to.

Question. Do you know by which democratic organization he was nominated?

Answer. I believe it was called the Sweeny party.

Question. Is it not what is properly known as the Tammany Hall organization?

Answer. Well, sometimes it is the Sweeny party, and sometimes the Waterbury party; they alternate, I believe, in the control of Tammany Hall.

Question. Then Mr. Barr, to a certain extent, had the same nomination which Mr. Waterbury had, and did not run upon?

Answer. Can't say that he did.

Re-examined by Mr. WATERBURY:

Question. This Mr. Walker you know—was he ever arrested and confined on a criminal charge over in Brooklyn?

Answer. Don't know anything of that kind ever occurred to him; never to my knowledge.

Question. You know if he is the same man, or not?

Answer. Can't say whether it is the same man you have been referring to or not that I have formerly known.

Question. He is the same man recently arrested and confined in the Old Capitol prison at Washington?

Answer. Don't know of his having been arrested; they have arrested so many lately it is hard to keep track of them.

Question. There is a Walker about whom there has been very general complaints of his swindling people; do you know whether that Mr. Walker is the one you refer to?

Answer. He may have become a swindler since I knew him, but he had a very good reputation—the one that I refer to—that I knew six or seven years ago.

Question. You are not positive about that.

Answer. Yes, sir; seven or eight years ago.

Question. With regard to this matter of being a whig, are you aware of the fact that Mr. Barr was a whig postmaster in New Jersey under Harrison's administration?

Answer Don't know; that was before I resided in New York. I have only known Barr since 1853—ten or eleven years.

Question. You spoke before of the consultation with Mr. Barr. Did you hear that money had been given, or that money was to be given to him?

Answer. I heard afterwards that money was given to assist him.

Question. By republicans?

Answer. Yes, sir; but I know nothing of the fact personally.

RUFUS F. ANDREWS.

Attest: A. D. RUSSEL, *City Judge.*

John Hardy sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 428 Tenth avenue.

Question. In this congressional district?

Answer. In the eighth congressional district.

Question. What is your occupation?

Answer. Attorney and counsellor at law.

Question. What offices have you held?

Answer. Member of the assembly at the session of 1861, and alderman of the city of New York during the years 1863 and 1864.

Question. From what district?

Answer. From the eleventh district each time.

Question. Have you served as an officer at any election?

Answer. I have.

Question. Frequently?

Answer. Yes, sir.

Question. What position have you held at elections or preparatory to elections?

Answer. District canvasser and inspector of registry.

Question. Are you acquainted with the laws relating to elections?

Answer. I am.

Question. Will you please state what the provision of law is in regard to the time during which elections shall be held?

Answer. The statute on that point provides that "general and special elections shall be held for one day only."

Question. Is that the complete section of the statute bearing upon this point?

Answer. The words are, "general and special elections shall be held for one day only." The section is complete in those words.

Question. Are there any limitations in the statute in respect to the time during that day, at which the polls must be kept open?

Answer. There is a limitation in the following words: "The polls in the several cities and county of Westchester shall be opened at sunrise, and in the several towns in all other counties at any time between sunrise and nine o'clock in the morning, and shall be kept open till the setting of the sun, and no adjournment or intermission whatever shall take place until the same be closed."

Question. What does the law say in regard to the time at which the canvass shall take place?

Answer. The canvass shall take place "as soon as the polls of the election shall have been finally closed."

Question. Are you aware of any statute whatever requiring the inspectors to close the polls at sunset?

Answer. There is none, so far as I am aware.

Question. From your knowledge of the law, do you think it is right and legal for inspectors of election to close the polls at sunset if there are electors at the polls demanding the right to vote?

Answer. No, sir; I think it is contrary to the spirit of the law.

Question. Has that question been passed upon by the court of appeals, the highest court in this State?

Answer. It has.

Question. State what the decision of the court of appeals was.

Answer. In the opinion of the court, six judges concurring and one judge dissenting, they held upon that point, "The statute contains no words forbidding the poll to be held open after sundown, or rendering the election void if the poll be not opened and closed as therein required."

Question. What case is that?

Answer. The case of the People against Cook. (Selden's Reports, vol. 4, page 92.)

Question. How are the inspectors of registry appointed in the city of New York?

Answer. By the board of supervisors.

Question. How is that board composed with respect to political divisions?

Answer. It is composed of six democrats and six republicans.

Question. Please tell me how they generally appoint inspectors of registry and of elections and canvassers, in respect to political divisions.

Answer. They are generally equally divided.

Question. How do you mean?

Answer. There are three in each district, and the democrats take two in half the district, and the republicans one, and in the alternate districts the republicans take two and the democrats one; and the board of supervisors arrange whether the republicans or democrats shall have a majority in the first election district of the ward, and then they alternate so that there shall be two democrats and one republican and two republicans and one democrat in each alternate district throughout.

Question. Look at this book and state in which districts of the Eighteenth ward the democrats had a majority of registers, and in which districts the republicans had.

Answer. I cannot swear positively as to that; they generally, in printing these official proceedings, print the names of one side in italics and of the other in Roman type.

Question. State as to the Twentieth ward.

Answer. In the odd districts of the Twentieth ward, at the election in November last, there were two democrats and one republican as registers.

Question. And in the even districts of the Twentieth ward?

Answer. There were two republicans and one democrat. I see in the Twentieth ward the republicans are printed in Italics, and it is the same in the other wards. If that is correct, in the Eighteenth ward the republicans had a majority in the odd districts, that is, there were two republicans and one democrat in the odd districts, and two democrats and one republican in the even districts.

Question. What book is that you hold in your hand?

Answer. The official proceedings of the board of supervisors for the year 1864.

Question. State as to the Twenty-first ward.

Answer. According to the same typography, the democrats had two registers and the republicans one in the even districts, and the republicans two registers and the democrats one in the odd districts.

Question. Tell me how it was in the Twentieth ward in regard to the inspectors.

Answer. There were two democratic inspectors and one republican inspector in the odd districts, and two republican inspectors and one democratic inspector in the even districts. Of canvassers, there were two republican and one democratic canvasser in the odd districts, and two democratic canvassers and one republican in the even districts.

Question. In the Twenty first ward?

Answer. There were two republican inspectors and one democrat in the odd districts, and two democratic inspectors and one republican in the even districts. Of canvassers, there were two democratic canvassers and one republican in the odd districts, and two republican canvassers and one democratic canvasser in the even districts.

Question. By the same typography, how were they divided in the Eighteenth ward?

Answer. Two republican inspectors and one democratic in the odd districts, and two democratic inspectors and one republican in the even districts. Of canvassers, there were two democratic and one republican in the odd districts, and two republican and one democratic in the even districts.

Question. Do you know the democrats appointed, according to the book in the Twentieth ward, as inspectors of registry, inspectors of election, and canvassers?

Answer. I know nearly all of them, personally.

Question. How were they classed in respect to the canvass for Congress, so far as the democratic candidates were concerned?

Answer. All except one were personal and political friends of Mr. Barr, and I believe that that one did not serve.

Question. Are you referring now to the registers?

Answer. No, sir; to the inspectors.

Question. Who was that one?

Answer. Patrick Finnegan.

Question. Now, as to the canvassers.

Answer. Some of the original appointments did not serve.

Question. I mean those appointed according to the book.

Answer. So far as I know, all, except one, were openly friends of Mr. Barr; that one was Mr. Aaron Pope.

Question. In what district?

Answer. In the ninth district, Twentieth ward; and I am not positive about Charles McDonough, in the tenth district.

Question. Please look in regard to the registers.

Answer. One man, A. W. Kitchell, I don't know; the others were all understood to be friends of Mr. Barr.

Question. So that, unless the persons whom you have excepted, were friends of Brooks, he had no supporter among the election officers in the Twentieth ward appointed by the board of supervisors?

Answer. I do not know of any person appointed by the board of supervisors friendly to Mr. Brooks. There may have been such, but they are unknown to me.

Question. Please look at this paper, which is a certified copy of the resolution adopted by the common council, fixing the place for holding the poll in the fifteenth district, Eighteenth ward, and say when that resolution was adopted.

Answer. It was adopted by the board of councilmen September 29, 1864.

Question. What should have been done with that resolution in the regular course of proceedings after it was adopted by the board of councilmen?

Answer. It should have been transmitted at once to the board of aldermen for their concurrence.

Question. In what aldermanic district is that election district?

Answer. In the fourteenth aldermanic district.

Question. Who was alderman of the fourteenth district during the year 1864?

Answer. John D. Ottiwell.

Question. To what political party did he belong?

Answer. To the republican party.

Question. What was the rule that prevailed during the year 1864 in the board of aldermen in reference to local matters?

Answer. As a general thing, local matters were left to the direction and care of the aldermen of the district.

Question. Was it in Alderman Ottiwell's power to have had that resolution passed at any time after it was sent to the board of aldermen?

Answer. I believe that, with his approval, its adoption would have been concurred in at once. I can only say that with regard to my own district that would have been the case.

Question. By whom were the poll clerks for that election appointed?

Answer. By the police commissioners.

Question. What is the rule that prevails in regard to the appointment of poll clerks as respects political distinctions?

Answer. One in each election district from each of the two political parties.

Question. What do you mean by that?

Answer. One from the republican and one from the democratic party; but the police commissioners take the liberty of deciding what constitutes the democratic party.

Question. Do you know what influence prevailed with the police commissioners in respect to the appointment of democratic poll clerks Was it the Tammany Hall influence, or the influence in the democratic party opposed to Tammany Hall?

Answer. They were appointed on the recommendation of the Tammany Hall committee.

Question. Do you know Mr. Peter Barr Sweeney?

Answer. Yes, sir.

Question. What relation is he to Mr. Barr?

Answer. I don't know, of my own knowledge. I have heard that he was Barr's nephew.

Question. The son of his sister?

Answer. Yes, sir.

Question. Are you well acquainted with the democratic politics of the Twentieth ward?

Answer. Yes, sir, somewhat.

Question. Can you tell me what Sweeney's influence is with the members of the Tammany Hall general committee from the Twentieth ward?

Answer. I consider his influence such that they would do just as he wished them to do; it is so considered in the ward by everybody, so far as I know.

Question. Do you think any person could have been appointed register, inspector, canvasser, or poll clerk in that ward on the democratic side, against the wish of Mr. Sweeney?

Answer. I don't believe any person could have been.

Question. What was the general opinion in advance of the election in respect to the manner in which the first and fifth districts of the Twentieth ward would vote as between Barr and Brooks?

Answer. It was generally supposed that both districts would go heavily for Mr. Brooks over Mr. Barr.

Question. Were the democratic inspectors appointed for the first and fifth districts, in that ward, men competent to hold the election in such a manner as to expedite the voting?

Answer. I should never recommend the appointment of such men.

Question. Might you not, if you appointed one smart man in each district?

Answer. Yes, sir; it is important to have one smart inspector; it is not so material about the second.

Question. Was there one smart inspector appointed who served in either the first or the fifth district of the Twentieth ward?

Answer. No, sir.

Question. In which district of that ward do you reside?

Answer. In the fifth district.

Question. Will you please to state whether or not the voting in that district was delayed at the last November election by the incompetency of the inspectors?

Answer. It is my opinion that the voting was delayed materially by the incompetency of the inspectors.

Question. How was it in the first district?

Answer. It was even worse there; the delaying was flagrant; the inspectors did not open the polls till about twenty minutes after sunrise.

Question. From your own knowledge in regard to the voters in the fifth district, and the voting there at the last November election, and from your knowledge as to the voters in the first district, and from what you have heard in respect to the voting there at that election, what is your opinion in respect to the number of democratic votes that were shut out by the incompetency of the inspectors in those districts?

Answer. In the fifth district, I think there were fifty or one hundred votes shut out who would have voted for Mr. Brooks; and in the first district there were at least from one hundred to one hundred and fifty shut out who would have voted for Mr. Brooks; that is, from what I have heard.

Question. Do you think that the democratic inspectors appointed in the two districts were such men as Mr. Sweeny would have had appointed if he had desired to poll a full democratic vote in those two districts?

Answer I think they were not.

Question. Did you give to Mr. McMurray, one of the police commissioners, a list of persons for appointment as democratic poll clerks, for the last November election, in the Twentieth ward?

Answer. I did.

Question. Whom did you support for Congress at that election?

Answer. I supported Mr. Brooks.

Question. Were you as active as any other person in the ward in his support?

Answer. As active as I could be.

Question. Did you think that the official position you held entitled you to some voice in the selection of clerks?

Answer. I asked their appointment upon the ground that I represented the majority of the democrats of the ward.

Question. Did you represent to Mr. McMurray that the appointment of the poll clerks you requested was a matter of justice, as the inspectors and canvassers were against Mr. Brooks?

Answer. I did.

Question. What did Mr. McMurray say to you?

Answer. He gave an evasive reply; he said that it would be left for subsequent consideration; he gave me to understand that the men on the list sent by Tammany Hall, and those on my list, would be sent for, and the persons most competent would be selected; not one person on my list was sent for or appointed. I went immediately into the back room, and the clerk told me the poll clerks had been appointed; and the appointments had already been made when the evasive answer was given me by Mr. McMurray—as I learned from Mr. Hasbrouck, the clerk of the commissioners.

Question. Have you any knowledge of the composition of the delegations to the Tammany Hall general committtee from the Eighteenth and Twenty-first wards?

Answer. Not much; but I understand that they are controlled by the friends of Mr. Sweeny.

Question. Please tell me the manner in which the registry of voters is, by law, to be made? In the first place, I will ask, by whom the inspectors of registry are sworn into office?

Answer. They swear themselves. The law prescribes the time of organizing, which is three weeks before the election. They organize by electing one of themselves as chairman, and that chairman administers the oath of office to the other two, and one of them then administers the same oath to him, and that constitutes the organization of the board.

Question. What other oath do the inspectors of registry take in connexion with their official duties?

Answer. The law does not prescribe any, but the comptroller requires an affidavit that the service has been performed before he pays the bills; and, on the final completion of the registry list, they swear to the bill for their services.

Question. Does the law make it obligatory upon the inspectors of registry to appoint a clerk?

Answer. They may appoint a clerk; it is in their discretion. The provision of the statute in that respect is this: "The same board may, if necessary, on the day or days of the making and of the correction of such lists, appoint a clerk to assist them in the discharge of the duties required by the act; and the same oath shall be taken by such clerk as is required by law of clerks of the polls or of elections."

Question. Are you acquainted with the practice that prevails in making the registry lists?

Answer. Yes, sir.

Question. What is the general practice among inspectors of registry in respect to their attendance during the time fixed for the sessions of the board?

Answer. They are not generally all present.

Question. How do they make up the register?

Answer. At the first meeting, three weeks before the election, they copy off the names from the poll-list kept in the district at the last preceding general election. The law does not require them to do anything more than that until the session for the completion of their labors. They then finish their list; and they are required by law to certify that each of the copies of the list is a correct list of the voters of their district. Under this provision of law, in order that they may make a true certificate, as it is made under their official oath, they generally consider it their duty to add at that time the names of all persons in the district that they know to be voters.

Question. Is it not the practice to add the names of persons who do not appear in person and give their names to be registered?

Answer. Some do and some do not register such persons.

Question. What is the general practice?

Answer. I suppose it is to add them.

Question. Suppose that names were brought in and vouched for by persons known to the inspectors of registry as respectable inhabitants of the district; is it the practice to register them or not?

Answer. That is according as they can make their certificate; if they are satisfied that the persons whose names are so made known to them are voters, they are required to add the names that they may make a true certificate.

Question. Do you think that an inspector of registry could properly make that certificate if he had omitted to include the name of a person who was vouched for to him by a well-known and respectable elector of the district?

Answer. I don't think he could.

Question. I want you to state whether the inspectors of registry are generally all present during the whole of each session.

Answer. Almost universally they are not.

Question. What is the general rule that prevails in regard to taking names in the absence of inspectors of registry?

Answer. Where they leave one or two in attendance they generally make an arrangement that all names shall be taken on slips of paper, and when they meet in the evening they add these names in the presence of the full board; most of the names added are taken at the second session; as a general thing they are not added at the first session.

Question. At the conclusion of the first session of the board how many copies of the registry does the law require to be made?

Answer. Four beside the original list.

Question. What is then done by the inspectors of registry with the original register?

Answer. It is filed with the county clerk.

Question. What is done with the four copies?

Answer. One is hung up in the room where their session was held, and one is retained by each of the three inspectors of registry, to be used at the second session.

Question. At the close of the second session how many copies of the register does the law require to be made?

Answer. Four at that time also.

Question. What is done with the four copies?

Answer. One is filed with the county clerk, and one is delivered to each of the inspectors of election for that district.

Question. Within what time must those copies be completed?

Answer. Within three days.

Question. When does the second session commence by law?

Answer. On the Tuesday preceding the election.

Question. How many days is it usually held?

Answer. It must be continued during two; the law requires it.

Question. What is the latest period of time within which the copies of the registry can be made?

Answer. Twelve o'clock on Saturday night. They are allowed until that time to make the copies.

Question. Is there any provision of law, that you are aware of, requiring the copies of the registry to be delivered to the inspectors before the time fixed for the opening of the polls on the day of election?

Answer. No, sir; there is no time fixed when they shall be delivered, but they must be delivered in time for use at the election.

Question. How do persons whose names are not on the registry vote on the day of election?

Answer. By furnishing to the inspectors of election an affidavit, stating why they were not registered, and also by producing to the inspectors a householder of the district, who makes oath that he knows him to be an inhabitant of the district.

Question. Before whom can the affidavit be made?

Answer. Before any officer authorized to administer an oath, and also before the inspectors of election.

Question When the registry law was first passed, what course was taken by some inspectors of election in reference to swearing parties to these affidavits on the day of election?

Answer. They refused to administer the oath.

Question. Did you interest yourself to have a change made?

Answer. Yes, sir; I prepared a draught of a bill, which was afterwards enacted, and is now the law of the State.

Question. What does that law require?

Answer. It consists of only one section, and is as follows: "At any annual State or city election, hereafter held in this State, any of the inspectors of such election may take the affidavit now required by law to be furnished by persons offering to vote whose names are not on the register of electors; and such inspectors, or one of them, shall, upon request, take and certify such affidavit without fee or reward. All other officers authorized by law to take affidavits shall, at all times, upon request, take and certify any affidavit so required to be furnished as aforesaid, without any charge therefor." The object of this bill was to make it the duty of the inspectors to take these affidavits, whenever requested to do so, without fee or reward. It was thought to be a very just bill, and there was no opposition to it.

Question. Before whom do the inspectors and canvassers take the oath of office?

Answer. Before the clerk of the board of supervisors.

Question. Before whom are the poll clerks required to take the oath?

Answer. Before some officer connected with the police department.

Question. What is the provision of law in case the canvassers appointed by the board of supervisors are not present at the time fixed for closing the poll?

Answer. There are three provisions. If one is absent, then the two canvassers present select one of the electors in that district to serve as canvasser, and they constitute the board of canvassers; if two are absent, the one canvasser present, in connexion with the three inspectors, select two competent citizens to act as canvassers; but if all three canvassers are absent, the three inspectors select three competent persons to act as canvassers.

Question. Are you aware of any law which prohibits an inspector or canvasser from drinking any spirituous or malt liquors during the day he is occupied in performing the duty of his office?

Answer. I have not heard of any such law; I have seen inspectors and canvassers drink publicly.

Question. What is the practice in regard to the same person acting as chairman of the board of inspectors on the day of election, and also himself keeping the register and examining it to see if each person offering to vote is registered?

Answer. I never knew an inspector to act in that double capacity.

Question. Do you think any inspector would assume both duties unless to delay the voting?

Answer. It must necessarily delay the voting, particularly at an election such as the one last November, when there were seven tickets to be distributed.

Question. Cannot the person who performs the duty of chairman, perform it at the same time that one of his associates, or one of the clerks, is examining the register to see if the person offering the vote is upon it?

Answer. They generally do so, and when the name is found it is checked and the vote deposited. I should think it would save one half of the time to have two persons rather than one perform these distinct duties.

Question. With your experience in elections, what can you say in regard to the liability of poll clerks to make mistakes in entering upon the poll-list either the names or residences of voters?

Answer. My experience has been that the poll-lists are always very inaccurate. When I acted as inspector I always found thirty-three per cent. of the names or residences wrong. I have often seen cases of a wrong number—say, for instance, 453 Ninth avenue, instead of Tenth avenue.

Question. And so also in respect to names?

Answer. Yes, sir, names and residences. I have known persons to have to make affidavits to vote upon, because their names were wrong upon the register

Question. How are names recorded on the poll-list?

Answer. The voter steps up to the inspector and hands him his ticket, and the inspector asks his name; the name and residence are given; the inspector announces say, John Smith, 459 Ninth avenue, and the poll clerks put it down; in the meantime, one of the inspectors searches for the name on the list, and as soon as he finds it he says, "all right," and the vote is deposited; that is ordinarily the case, where there is no challenging.

Question. Are the aldermen of the city of New York magistrates?

Answer. Yes, sir.

Question. Was your official duty as magistrate a position in which you can form a pretty good estimate in regard to the increase of population in this city during the last two or three years?

Answer. More especially in my own neighborhood.

Question. How has it been in your neighborhood?

Answer. A very large increase.

Question. Have rents greatly advanced?

Answer. Yes, sir.

Question. What has been the result of the increase of rents and the increase of population in respect to causing people to live more closely together?

Answer. It fills up those large tenement houses; people would not live in them unless they were compelled to move into them; in some cases ten or twelve families reside in a house.

Question. And are very crowded?

Answer. Yes, sir.

Question. How was it last fall in respect to naturalization. Were a large number of persons naturalized?

Answer. Yes, sir; the clerk of the naturalization bureau informed me that more persons were naturalized last year, than in any year since Buchanan was elected, which was in 1856.

Question. How large had the naturalization been previous to the year 1864.

Answer. Comparatively few since 1860.

Question. What was the reason for the small number?

Answer. People were afraid of being drafted.

Question What was it beside the general interest felt in the presidential election, that caused persons to come forward last fall and be naturalized?

Answer. Two causes: the first was that all persons having their first papers were made liable to the draft, and they incurred no additional risk in taking out their second papers, which induced such persons to take out their second papers; and secondly, it was very difficult for a young man, who came here under eighteen to get his exemption as an alien, as the provost marshals were very strict; and as they stood a chance of being drafted any way, they might as well be citizens.

Cross-examined by Mr. PHELPS:

Question. At all polling places, if regularly manned, there are two poll clerks?

Answer. Yes, sir.

Question. Do you remember the provision of the law as to the residences of those who are appointed to act as registers in a particular district?

Answer. The law requires that inspectors of registry shall reside in their respective election districts.

Question. What is the object of that restriction?

Answer. I think it is to bring the force of public opinion to bear upon these officers, so that, if they act dishonorably, they shall be held accountable for it; and, secondly, it is supposed that they will have a better knowledge of the people if they reside in the district.

Question. Will you give me the statutory direction as to what persons shall be registered at each session?

Answer. The provisions as to the registering of names require that at the first meeting all the nan es shall be copied from the preceding poll-list, and then the registers must add such others, that they can certify that the register is "a true list of the voters in their district so far as the same are known to them." That completes their labors at the first session. At the second session, it is their duty to erase from the list the "name of any person inserted therein who shall be proved by the oaths of two legal voters of said district, to the satisfaction of said inspectors, to be a non-resident of said district, or otherwise not entitled to vote in said district at the election then next to be held." At that same session, "any elector residing in the district, and entitled to vote therein, may appear before said board of inspectors, and require his name to be recorded on said alphabetical list. Any person so requiring his name to be entered on said list, shall make the same statement as to the street and number thereof, and where he resides, required by the provisions of this act, of persons offering their votes at the election; and shall be subject to the same pains and penalties for refusing to give such information, or for falsely giving the same; and shall also be subject to challenge either by the inspectors, or either of them, or by any elector whose name appears upon said alphabetical list; and the same oaths may be administered by the inspectors as now provided against persons offering to vote at an election."

Question. What book is that from which you read? Is it the statute?

Answer. It is entitled "Practical Directions for the Holding of Elections."

Question. In those practical directions for holding elections, will you please state to me what directions are given about the opening and closing of the polls?

Answer. I don't consider the directions of any consequence, and I don't always obey the directions.

Question. Will you please read to me from the book what the instructions are?

Answer. I don't always follow the instructions; the instructions are made out by the county clerk; but all I have stated thus far I have quoted from the statute. The instructions say: "On closing the polls, which must be done at sunset, the board of district canvassers are required by law to proceed immediately to canvass the votes."

Question. Will you please read the title of this book?

Answer. "Practical Directions for the Holding of Elections, and the Canvassing of Votes under the Election Law; principally applicable to the city of New York, and designed for the use of inspectors and district canvassers in that city. By Henry Genét, county clerk."

Question. Do you know whether these printed instructions are given to canvassers, registers, and inspectors of the city?

Answer. Yes, sir.

Question You thought there were as many as one hundred or one hundred and fifty voters standing outside of the polls of the first district?

Answer. No, sir; Mr. Waterbury asked me how many persons were deprived of the right of voting, and I swore they were deprived of it; a great many of them were working men, who were excused for two hours, or one hour and a half, in order to vote, which they might have done if the voting had been expedited; but they were deprived of the right on account of the slowness of the voting.

Question. A majority of these were deprived, by reason of their hours of labor, from the fact that they were not allowed to be away from their work all day, and had to vote at definite times.

Answer. I should say, perhaps, half of them were. In my district half of them were deprived in that way, and they could not wait.

Question. How many were waiting in your district at the closing of the polls?

Answer. I made the calculation; I held seventeen votes, and there were fifteen besides; I should think thirty votes were there waiting, not thirty men.

Question. How could the votes be waiting and not the men?

Answer. I had them in my pocket, soldiers' votes; I could not vote them during the day, because it takes twice as long to vote a soldier's vote as it does a personal vote; so I waited for the line to be exhausted, and it was not exhausted.

Question. As to the first district, you know only by report.

Answer. That is all.

Question. This resolution which you read was adopted by the board of councilmen. Do you know whether it was adopted by the board of aldermen?

Answer. Except from the record.

Question. I mean from the record?

Answer. Yes, sir; November 3, by the board of aldermen.

Question. And approved by the mayor?

Answer. Yes, sir; on the same day.

Question. In order to make an ordinance of the common council or the board of aldermen, in order to make a city ordinance; what three elements are essential?

Answer. The concurrence of both branches of the common council and the signature of his honor the mayor.

Question. Will you please state what is the statute with reference to the sale of liquor on election day in the neighborhood of the polls?

Answer. It is in the license law. "It is unlawful for any person to keep or dispose of any intoxicating liquors upon any day of public election within the metropolitan police district." (Laws of 1857, section 21.)

Question. Do you know of any statute forbidding the sale of liquor within a quarter of a mile from the polling place on the day of election?

Answer. I think there is a provision of that kind; the penalty is prescribed that the man shall be punished who sells it.

Question. In this court of appeals case was there anything in the decision which went further than to say that it would not be illegal to receive a vote after sunset?

Answer. They said it would not render the election void; that it would not interfere with the legality of the election.

Question. Did they go so far as to say that the polls should have been kept open after sunset?

Answer. I don't think they did.

Re-examined by Mr. WATERBURY:

Question. Do you know what hotels there are in the third election district of the Eighteenth ward, which is bounded by Twenty-second street, Madison avenue, Sixth avenue, and Twenty-sixth street?

Answer. There are a great many; the Fifth Avenue hotel, the Hoffman House, the St. James hotel, the Earl House, and the Albemarle House.

Question. Are there not others in the Sixth avenue, between Twenty-third and Twenty-sixth streets?

Answer. Yes, sir.

Question. Do you think that there are many districts in the city of New York in which there is more liquor sold on election day than in that third district?

Answer. Since I have been of age I have been at the polls on election day and don't know what transpires away from there.

Question. You said that young men under eighteen the provost marshals held were naturalized?

Answer. They did at that time; and they put them to great trouble to ge witnesses to prove their exemption.

Question. How was it with young men under twenty-one?

Answer. I mean that young men who came to this country when they were under eighteen years of age were given great trouble to prove their alienage; they were made to bring proof to show that their fathers had not been naturalized, and they would not allow their claim to exemption without a great many rules and restrictions.

Question. You read from some of the sections of the registry law where it prescribed part of the duties of the inspectors of registry at their second session; will you please read what is said on that subject in the third section?

Answer. The third section provides that "the said boards shall meet on the Tuesday of the week preceding the day of the general election in their respective election districts at the place designated for holding the polls of election, for the purpose of revising, correcting, and completing said lists."

Question. Read to me the provision of the law in relation to the making of a false registry.

Answer. "Any person who shall cause his name to be registered in more than one election district, or who shall cause his name to be registered knowing that he is not a qualified voter in the ward or district where said registry is made, or who shall falsely personate any registered voter, and any person causing, aiding, or abetting any person in any manner, in either of said acts, shall be punished for each and every offence by imprisonment in the State prison for not less than one year."

Question. How much of that book from which you have read is authorized by law; how much does the last section of the registry law require to be printed and circulated?

Answer. I will read what it says: "The secretary of state shall cause this law to be printed and a sufficient number of copies thereof sent to the county clerks of the several counties to supply each of the officers named in this act with a copy, and it shall be the duty of said county clerks immediately to transmit a copy of the same to each of the inspectors of election in this county."

Question. Do you know of any provision of law requiring any such statement as the "practical directions" to be published?

Answer. No, sir.

Question. Do you consider that the opinion of the county clerk, who prepared the "Practical Directions," is entitled to more consideration in the decision of the question when the polls must be closed than the ruling of the court of appeals of the State of New York?

Answer. No, sir; I only obey the law when I am an inspector.

Question. Are not a majority of those appointed as canvassers and inspectors counsellors-at-law?

Answer. I don't think that a majority are, but many of them are counsellors-at-law.

Question. What is the object of furnishing them with the book from which you have read?

Answer. As I understand to give them the law under which they act. Every man who performs the duty ought to be able to interpret the law for himself, and if he is not able he is not a proper officer.

JOHN HARDY.

Attest: A. D. RUSSEL, *City Judge.*

Patrick Pickett sworn.

Examined by Mr. WATERBURY:

Question. Did you act as clerk of the board of registry in the second district, Twenty-first ward, previous to the November election?

Answer. Yes, sir.

Question. Did you put upon the registry list of that district or upon any copy of it the name of any person not registered by the inspectors of registry?

Answer. No, sir.

Question. Were you left alone at any time by the inspectors of registry during any session of the board?

Answer. Yes, sir.

Question. How long?

Answer. About one hour.

Question. On which day?

Answer. It might be the first day or the second day.

Question. Did you register any person during that time?

Answer. I don't think I did.

Question. Were any lists of voters to be registered made out by the inspectors of the registry and handed to you?

Answer. Yes, sir.

Question. What lists were made out?

Answer. My friends Mr. McDonald and Mr. Riley made out some half a dozen lists and kept them until I came there.

Question. They were lists of persons who came to be registered during your absence?

Answer. Yes, sir; they gave the lists and I placed them on the book when I came back.

Question. At the completion of the registry or about the completion of it, did they also give you a list?

Answer. They gave me one.

Question. Did you after the time fixed by law for the completion of the register had expired, take any lists to be entered upon the register, and if so, what list did you take?

Answer. No sir; none at all.

Question. All the lists then, I understand you, of persons whose names were entered upon that register, were received by you, before the time fixed by law for the completion of the register?

Answer. Yes, sir.

Question. Did you enter the name of any person upon the register other than the names of persons registered by the inspectors, and the names upon the poll-list of the preceding year?

Answer. No, sir.

Question. If any person has testified here that you took a list containing forty or any other number of names from your pocket, and entered the names upon the registry list, is that statement true or false?

Answer. True, sir.

Question. When did you take that list from your pocket?

Answer. In the afternoon Mr McDonald gave me the list of names, forty I think, and he told me to enter them in the book. I told him I would go away and come back the same night. I kept the list in my pocket, and when I came back I copied the names in the registry book.

Question. That was before the close of the registration?

Answer. That was before nine o'clock, when I got through.

Question. Are you a member of engine company No. 12?

Answer. I am.

Question. What official position did you hold?
Answer. Secretary.
Question. Did you reside at the engine-house?
Answer. I did, sir.
Question. How many persons resided at the same engine house and were entitled to vote therefrom at the last election, in November?
Answer. We were entitled to forty-four votes.
Question. I want you to say which of the persons whose names I will read to you were at that time residing at that engine-house and entitled to vote therefrom. John Gallagher?
Answer. He was entitled to vote; he belonged there.
Question. Thomas Cooley?
Answer. Yes, sir.
Question. Dennis Leary?
Answer. Yes, sir.
Question. T. Quinn?
Answer. Yes, sir.
Question. Peter Eagan?
Answer. Yes, sir.
Question. Thomas Collins?
Answer. It should be Lawrence Collins.
Question. Edward Reynolds?
Answer. Yes, sir.
Question. John Kelly?
Answer. He belonged there, but resigned previous to the election.
Question. Was he still rooming there?
Answer. No; he was not bunking there. He could if he had had a mind to; he can sleep in any engine-house in the city he chooses.
Question. He was entitled to sleep there at that time?
Answer. Not at that time; I think he resigned before the election.
Question. W. Ford?
Answer. Yes, sir.
Question. Patrick Henry?
Answer. It should be Patrick Hendey. He resided there, and was entitled to vote.
Question. William H. Willis?
Answer. That is not the name. William Wesley is the right name. He was entitled to vote.
Question. John H. Jeffers?
Answer. Jeffries it should be.
Question. David J. Daly?
Answer. No, sir. That should be Michael Daly.
Question. Patrick Donnelly?
Answer. He is entitled to vote there.
Question. How many members was the engine company entitled to, according to the laws governing the fire department?
Answer. We were allowed fifty acting members.
Question. How many did you have at the time of the November election?
Answer. Sixty-three, between active and honorary.
Question. Was there any rule in your engine company at that time with regard to bunking at the engine-house?
Answer. No man could join the company unless he was a single man and bunked in that house.

Cross-examined by Mr. PHELPS:

Question. You say that the men at that engine-house were entitled to vote in that election district; what is the ground of that opinion?

Answer. Because they belonged to the fire department, slept there, and gave their residences from there.

Question. Did they get their meals there?

Answer. No, sir.

Question. Are they all single men?

Answer. Yes, sir.

Question. You spoke of bunking there; what do you mean by that?

Answer. Sleeping in the engine-house.

Question. How many beds or bunks are there in the engine-house?

Answer. We have thirty single beds and four double beds.

Question. Are they provided with bed linen?

Answer. Yes, sir.

Question. Who provides that?

Answer. The company.

Question. Who gave you the list of forty names that you had in your pocket and entered on the register?

Answer. Mr. McDonald.

Question. Do you know where he procured them?

Answer. I suppose he took them from the voters who came in.

Question. Do you know they were names of citizens who presented themselves for registry?

Answer. Could not tell. Mr. McDonald told me that number came in during my absence. I mean the number of forty-four.

Question. How long were you gone?

Answer. I think about five or six hours. I was there my share of the time, and I might have been there one or two hours a day on the average.

Question. Then you were there more than one hour?

Answer. Yes, sir.

Question. Do you know that one of the names on the six or eight lists that were given to you by the inspector of registry, upon your return from your absences, was the name of a citizen who presented himself for registry?

Answer. No, sir; I do not.

Re-examined by Mr. WATERBURY:

Question. Can any person not a citizen belong to the fire department?

Answer. No, sir; a member must be twenty-one years of age and a citizen of the United States.

PATRICK H. PICKETT.

Attest: A. D. RUSSEL, *City Judge.*

Solomon N. Cohen sworn.

Examined by Mr. ANTHON:

Question. Have you made any examination of the police records lately?

Answer. Yes, sir.

Question. For what purpose!

Answer. To find the record of Warren S. Taylor.

Question. Did you find that he had ever been a member of the Metropolitan Police?

Answer. Yes, sir.

Question. What was his record?

Answer. It was a very bad one; he was dismissed for improper conduct.

Question. Have you made any examination as to the returns of buildings in the eighth congressional district?

Answer. Yes, sir; I have in respect to the Eighteenth, Twentieth, and Twenty-first wards.

Question. State the result of your examination.

Answer. The best way to do that is to read from the report of the police commissioners. I have marked several passages.

Question. Read them.

Answer. On page 48 of that report upon the subject of "Tenement Houses," it says, "We have in the city of New York, it is found, upwards of one million inhabitants, of whom five hundred thousand live in tenement houses, and over fifteen thousand of this latter number dwell in cellars."

I have marked another place where it says, "In 293 West Thirty-third street there are sixteen rooms and sixteen families, thirty-eight adults and twenty-two children."

On page 51 it says, "Many of these buildings contain from fifty to seventy-five, and, in fact, over one hundred human beings, dwelling together in the smallest possible space."

In another place it says, "There are fifteen thousand of the poorer class occupying low, dark, and ill-ventilated underground apartments."

I will now read in respect to this district, from the same report, the last census of the sanitary squad of the police, which is considered the highest authority in the city, as they are instructed to visit and report these places:

On page 67 it returns for the Eighteenth ward, "The whole number of tenement houses, 836; population, 35,869; cellar population, 230; total, 36,099."

On the next page it returns for the Twentieth ward, "The whole number of tenement houses, 1,162; population, 32,205; cellar population, 1,017; total population, 33,218."

The Twenty-first ward has 1,026 tenement houses, and a population of 36,675, with a cellar population of 135, which makes the total population of the tenement houses in that ward 36,810.

Question. These aggregates of 33,000 and 36,000 are only the population of the tenement houses in the respective wards, and do not include any portion of the residents in dwelling houses of the first, second, and third classes?

Answer. Only those living in tenement houses, or the houses that have four or five to twenty or more families in them.

Cross-examined by Mr. PHELPS:

Question. Do you know what was the misdemeanor of Mr. Taylor, for which you say he was dismissed?

Answer. No, sir; all I know is, that Mr. Taylor had a very bad name as a "dead beat" in the ward in which he served.

Question. What does "dead beat" mean?

Answer. A fraud.

Question. Did you ever hear any fraud alleged against him in more explicit terms than the statement that he was a "dead beat?"

Answer. I heard from his superior officers that he was a "dead beat."

Question. Who were they?

Answer. Captain Steers.

Question. Did he tell you what he meant by saying that?

Answer. I was going to ask him at the time, but a prisoner was brought in and the matter slipped out of my mind. I was at the station-house reporting a case at the time.

Question. Who else beside Captain Steers said anything about him?

Answer. Half a dozen police officers.

Question. What did they say?

Answer. Pretty nearly the same terms.

Question. Did you ask what they meant?

Answer. I suppose you know what they meant.
Question. You don't know Mr. Taylor personally?
Answer. No, sir.

Re-examined by Mr. ANTHON:

Question. Is Mr. Steers now captain of the same precinct?
Answer. Yes, sir.

S. N. COHEN.

Attest: A. D. RUSSEL, *City Judge.*

George McDonald re-called.

Examined by Mr. ANTHON:

Question. You were one of the registers of the second district Twenty-first ward?
Answer. Yes, sir.
Question. You are aware that some assaults have been made in this case upon the accuracy of your registry for that district.
Answer. Yes, sir.
Question. Was Mr. Picket the clerk of your board of registry?
Answer. Yes, sir.
Question. Did you give to Mr. Picket, at any time, any list of names to enter on the registry that was incorrect?
Answer. No, sir.
Question. Did you give him any list for the purpose of registry that contained a single name that you knew to be that of a person not a legal voter?
Answer. No, sir,
Question. Would the list that you gave him, if he copied it correctly, as he swears that he did, form part of a correct, legal and truthful registry?
Answer. Yes, sir.
Question. Have you made any inquiries during the past day or two for persons whose names are upon the poll list of that district, at the residences stated in the poll-list?
Answer. Yes, sir, I have; a list was furnished me that I understood was taken from the poll-list, and I made inquiries as to the residences of the persons whose names were on the list.
Question. What information was given to you in regard to the persons upon a list given to you as a list of persons, in respect to whom it had been testified here that they could not be found; do you know whether Mr. Berryman testified here that those persons could not be found?
Answer. It was so testified.
Question. Tell me which of the persons on that list you looked for, and what you ascertained in regard to them?
Answer. The first place I went to was No. 127 East Twenty-ninth street. Francis Martin who lives in the house, told me that James Niel was in the army, but his mother lived there. John Burns, who lives at 135 East Twenty-ninth street, told me that the wife of Peter Buhler lived upstairs, and he was in the room. William Dalton, 130 East Twenty-ninth street, is a soldier and his family lixed there last fall; John McDermot informed me of that. Thomas Bowen, 138 East Twenty-ninth street, I found at 137. Philip Bolander, 124 East Twenty-ninth street, is a soldier, as I was told by James Watson, who lives in the same house. Thomas Cassidy is at 126 East Twenty-ninth street, instead of 122, which was the number given to me.
Question. Did you find him there?

Answer. Yes, sir; I saw him myself. James Campbell, 189 East Twenty-ninth street, lives there.

Question. How did you ascertain that he lives there?

Answer. James Smith, who lives in the house, informed me. John Mix, 173 East Twenty-ninth street, moved away from that house last Friday; John Lynch informed me so, he lives in the same house. Samuel Bromley, D. J. Rooney and G. D. Cooley all live at 183 East Twenty-ninth street. Bromley was drowned two months ago; the others are there now. I was informed of these facts by Mr. Mallally, who lives in the same house. James Burns, 186 East Twenty-ninth street, I was told by Thomas Shea, who lives there, moved out of the house a week ago; he lived at that place last fall. The wife of Patrick Carroll lives at 128 East Twenty-ninth street; he is a soldier, and I was informed by John Carroll that he lives in that house. John Parker did live at 129 East Twenty-ninth street, but he is now away in the army, as John Finn informed me, who is now living in the same house. John Sheridan I saw at 123 East Twenty-ninth street; he lives there in that house. Thomas Fagan lived in the same house he is now a soldier.

Question. When did he live there?

Answer. I did not ask. Owen Lamb, 134 East Twenty-ninth street, I was told by Patrick Carroll, who lives in the same house, lived there last fall and still lives there. William Carr and L. Lynch both live at 511 Second avenue, as I was informed by John Day, who lives in the same house. M. A. McGee, 187 East Twenty-ninth street, lives on the top floor of that house, as James Smith informed me, who lives in the same house. John Mahan and John Webster both live at 525 Second avenue, as I was informed by Patrick Farley. C. Farrell did live at 526 Second avenue last fall, but he is now at the war, as I was told by Michael Shay who lives in the same house. James Tolin and M. Gleason live at 141 East Twenty-eighth street, as I was told by John O'Neil, who lives there too. The family of John Dillon lived at 111 East Twenty-eighth street last fall, but have moved away since; Patrick Kearney, a grocer in the building, informed me that Dillon had lived there, and also that John Gorman and Peter Gilligan, both soldiers, were legal voters, having their residence in the same house. I saw James Bagley 149 East Twenty-eighth street, he lived there last fall and is a voter. William Lannegan, who lives at 117 East Twenty-eighth street, told me that M. Keegan lived there and was a voter. Timothy Bannin lives at 137 East Twenty eighth street, on the top floor of the house, and is a voter. The family of Daniel Kelley live at 515 Second avenue, on the top floor; he is a soldier. John Dougherty, who lives in the house told me he was a voter. G. B. S. Lawton, at 121 East Twenty-eighth street, has just returned from the army; I saw him; he is a voter. The family of August Holston live at 136 East Twenty-ninth street, with James Smith, whom I saw. The family of L. Dungstadter live at 116 East Twenty-eighth street, as Charles Curry, who lives there, told me. These are all that I inquired about.

Question. How long were you at the work?

Answer. About one hour and a half.

Answer. Those names comprise about one-half of Berryman's list?

Answer. Yes, sir.

Question. Do you think there would be the slightest difficulty in proving the whole of his information equally false?

Answer. I could not say.

Question. Did you make any selection of the names or take the names as they came.

Answer. I first commenced in my own street; I live on that block.

Question. Did you make any selections with reference to the ease or difficulty of finding the persons.

Answer. No, sir; I took them as they came.

Question. And you were prevented from continuing your inquiries by the fact that it was becoming night.

Answer. Yes, sir; it was Saturday night.

Cress-examined by Mr. PHELPS:

Question. Have you been examined before?

Answer. Yes, sir.

Question. How many times?

Answer. I had been twice on the stand.

Question. At what number did you look for James Neil?

Answer. At 127 East Twenty-ninth street.

Question. Did you find him in that house?

Answer. No, sir.

Question. Then where did you go?

Answer. I met Francis Martin at 127. I inquired of him if Neil lived there, and he told me that he lived there.

Question. Did he say how long he had been in the army?

Answer. No, sir; he did not.

Question. Did you know Martin personally, previous to that time?

Answer. No, sir.

Question. Did you know James Neil personally?

Answer. No, sir.

Question. Where did you look for Peter Buhler?

Answer. At 135 East Twenty-ninth street.

Question. Did you find him there?

Answer. I saw John Burns.

Question. What did Burns say?

Answer. He told me that Buhler's wife lived up stairs.

Question. Did Mr Burns ask you what you wanted to find Peter Buhler for?

Answer. I stated my object.

Question. Did you go up to see his wife?

Answer. No, sir.

Question. Why did you not go up?

Answer. I was in a hurry.

Question. Did it not occur to you that these men, being all good democrats, would be anxious to help you along by admitting an acquaintance with the soldier?

Answer. I could not exactly say.

Question. Did it not occur to you that if you told them your object, they would be very apt to assist you zealously?

Answer. I think they would, sir.

Question. Where did you inquire for Dalton?

Answer. I went to all the houses.

Question. Where did you go first?

Answer. To 130; that was where he was put down at on the list.

Question. Then you kept asking?

Answer. No, sir; I had the number.

Question. I want to know if you found them at the houses at which they were placed on the list given to you?

Answer. Yes, sir.

Question. Who told you about Dalton being at 130?

Answer. John McDermot.

Question. Do you know Mr. McDermot personally?

Answer. No, sir.

Question. Do you know Dalton personally?

Answer. No, sir.

Question. What did Mr. McDermot tell you?

Answer. He said Dalton was a soldier, and that his family lived there last fall.

Question. You did not go to see his family, or any of them?

Answer. No, sir.

Question. Did you tell all your informants what your business was?

Answer. Yes, sir.

Question. Did you tell them it was a contest between Brooks and Dodge?

Answer. Yes, sir; only for that I could not have obtained any information; there was a parcel of women and children after me to know whether it was for a draft.

Question. What did they follow you about for?

Answer. Because they saw me go by the different houses with papers.

Question. Where did you ask for Thomas Bowen?

Answer. At 137 East Twenty-ninth street.

Question. He was put down on the list you had at 138 East Twenty-ninth street?

Answer. Yes, sir.

Question. Did you ask for him at 138?

Answer. Yes, sir; I did not find him there. I was not ten minutes in the street with my paper and pencil before the boys followed me, and I think I got my information from the boys; they told me he lived at 137.

Question. How many blocks would that be from 338—how many houses?

Answer. I don't know that there is such a number as 338.

Question. Do you remember what the boys said about Thomas Bowen, except that he was a soldier?

Answer. No, sir; I made no note of it.

Question. Did you go and ask at 138?

Answer. I did.

Question. You asked if Thomas Bowen had lived there?

Answer. They told me no.

Question. Then your inquiries did not confirm what you had heard from the boys?

Answer. I think the boys told me it was 137; boys in the street gave me the information.

Question. Then you wanted to prove its truth at the house they said he lived at?

Answer. Where; at 137?

Question. Yes, sir.

Answer. I did.

Question. You asked if Bowen lived there?

Answer. Yes, sir.

Question. Did you ascertain?

Answer. James Smith gave me the information that he was now living there and was at home on leave of absence.

Question. At 137?

Answer. Yes, sir.

Question. Did you ask to see him yourself?

Answer. No, sir. (My paper says, "Bowen lives here and is now in his room.")

Question. Lives at 137?

Answer. Yes, sir.

Question. How do you know he lives there?

Answer. The boys told me——no, sir, it was William Cochrane, who lives at 138, and is now at home on leave of absence; information given me by Mr. James Smith.

Question. Did you know Thomas Bowen personally?
Answer. No, sir.
Question. Did you know the boy personally who told you he lived at 137?
Answer. I did not.
Question. Where did you inquire for Philip Bohlander?
Answer. At 124 east Twenty-ninth street.
Question. Is that the number put down on the list furnished you?
Answer. Either 124 or 114; I think 114 is the correct number.
Question. Which number was given to you?
Answer. 124 was given to me; I don't know whether it is meant for a two or a one.
Question. Did you inquire at both places?
Answer. No, sir.
Question. Which place did you inquire at?
Answer. I inquired at 114, and they told me he was a soldier and a voter; James Watson, who lives in the same house, told me.
Question. Did you know Watson personally?
Answer. No, sir.
Question. Do you know what kind of a house 114 is?
Answer. It is a tenement house; I think it was 114 or 124.
Question. You did not go to 114?
Answer. No, sir.
Question. Does Bohlander live at 114?
Answer. At 124.
Question. He don't live at 114?
Answer. No, sir.
Question. How do you know he lives at 124?
Answer. James Watson told me; he said he lived in the house.
Question. Did you ask for Bohlander himself?
Answer. No, sir.
Question. You did not ask any of the family?
Answer. No, sir.
Question. Did you inquire for Thomas Cassidy at 122?
Answer. I did; but I did not find him there.
Question. How did you happen to hear of him?
Answer. I found him at 126; they did not tell me at 122; I met a man in the street, and he told me; I told him my business; they were running after me to know my business; I found from some of them that he lived at 126.
Question. Who told you he lived at 126?
Answer. Don't know.
Question. Do you know the man personally?
Answer. There were very few with me that I knew.
Question. Do you know Thomas Cassidy personally?
Answer. I do not.
Question. Did you go to 126 after that stranger told you that Mr. Cassidy lived there?
Answer. Yes, sir; I think it is a rear building; I asked a man if Thomas Cassidy lived there, and he said yes.
Question. Then did you make any further inquiry?
Answer. I did; I saw him there.
Question. James Campbell, where did you find him?
Answer. At 189 east Twenty-ninth street.
Question. Did you find him there?
Answer. I did not see him himself; I saw James Smith.
Question. Did you know James Smith personally?
Answer. No, sir.

Question. Did you know James Campbell personally?
Answer. No, sir.
Question. What did Smith say?
Answer. He informed me that Campbell lived in that house.
Question. Did you ask to see Campbell himself?
Answer. No, sir.
Question. What about John Mix, 173 East Twenty-ninth street?
Answer. John Lynch told me that Mix moved away last Friday.
Question. Where did you inquire for Samuel Bromley?
Answer. 183 East Twenty-ninth street. Bromley was drowned two months ago.
Question. Did you find he had lived there?
Answer. Yes, sir.
Question. Did you know Bromley personally?
Answer. No, sir
Question. Who informed you?
Answer. John Mallally.
Question. How long have you known Mr. Mallally?
Answer. Three or four years.
Question. Where did you inquire for Bromley, Rooney, and Cooley?
Answer. Of John Mallally, 183 East Twenty-ninth street. Mr. Mallally told me that they lived there at that time.
Question. Did you not say that James Burns lived there?
Answer. Yes, sir; at 186 East Twenty-ninth street.
Question. Was he put down at 186 or 183?
Answer. It is here 186.
Question. Did you know James Burns personally?
Answer. No, sir.
Question. Who told you about him?
Answer. Thomas Shea, who lives in the house, told me that Burns moved out of that house a week ago, and that he lived there last fall.
Question. How long have you known Thomas Shea?
Answer. Don't know that I know Shea.
Question. He did not state in what month he lived there?
Answer. He stated that he lived there last fall.
Question. He did not state when he moved away?
Answer. About a week ago.
Question. Patrick Carroll—do you know him personally?
Answer. No, sir. He is at 128 East Twenty-ninth street; his wife is there. He is a soldier; I was informed so by John Carroll.
Question. Did you know John Carroll?
Answer. Not that Carroll.
Question. You did not ask his wife?
Answer. No, sir.
Question. Where did you first inquire for John Parker?
Answer. At 129 East Twenty-ninth street.
Question. Who told you he was gone to the army?
Answer. John Finn.
Question. Did you know John Parker or John Finn personally?
Answer. Not personally.
Question. What did John Finn tell you about him? Did he say when he went? Did he say his family were there?
Answer. He did not.
Question. Did you inquire for John Sheridan?
Answer. Yes, sir; at 123 East Twenty-ninth street.
Question. Did you find him there?

Answer. Yes, sir; I saw him. He lives in that house, and so does Thomas Fagan, who is now a soldier.

Question. Did you know Sheridan personally before you met him there?

Answer. No, sir.

Question. Where did you inquire for Owen Lamb?

Answer. At 134 East Twenty-ninth street. Patrick Carroll told me Lamb lived there last fall and still lives there.

Question. Did you know Lamb personally?

Answer. No, sir.

Question. Did you know Carroll?

Answer. I know two Carrolls. I think it was the son of old Mr. Carroll who told me; I know his father; could not swear positively I know him.

Question. Did you inquire for Mr. Carr at 511 Second avenue?

Answer. Yes, sir.

Question. Did you know him personally?

Answer. No, sir.

Question. Who told you anything about him?

Answer. John Day.

Question. Did you know Day personally?

Answer. No, sir.

Question. What did he tell you about Carr?

Answer. That both Carr and Lynch lived in that house; Day also lived in that house.

Question. Had they any families in that house?

Answer. I did not inquire.

Question. Did you hunt for a man named Mahon at 526 Second avenue?

Answer. No, sir.

Question. Where did you first inquire for him?

Answer. At 525 Second avenue.

Question. What number was given Mahon, in your list?

Answer. 525.

Question. Did you know him personally?

Answer. No; John Webster told me; but I don't know Webster personally.

Question. What did Mr. Webster tell you?

Answer. It was, I think, Farley who gave me the information; it was not Webster; I don't know Mr. Farley personally.

Question. Who told you about C. Farrell?

Answer. He lived there last fall, but is now at the war; Michael Shay told me; I don't know either personally.

Question. Did Mr. Shay say when Mr. Farrell went into the army?

Anawer. No, sir.

Question. Where did you inquire for James Tolin?

Answer. I inquired at 141 East Twenty-eighth street, for him and Mr. Gleason. John O'Neil told me about them; am not acquainted with him personally.

Question. What did O'Neil say about these two men?

Answer. Informed me they lived in the house.

Question. You did not go in to see them?

Answer. No, sir.

Question. Where did you enquire for John Dillon?

Answer. At 111 East Twenty-eighth street, but I did not know him personally.

Question. Who told you about him?

Answer. Patrick Kearney told me he had moved away. I know Kearney personally. He did not say when Dillon moved away.

Question. Where did you inquire for John Gosman?

Answer. I have no Gosman on my list; I have John Gorman and Peter Gilligan.

Question. What did Kearney tell you about them?
Answer. Kearney said both were soldiers and legal voters.
Question Who was the next one you inquired for?
Answer. James Bagley; I do not know him personally; I found him at 149 East Twenty-eighth street.
Question. Who did you inquire of there?
Answer. Saw him myself; he lived there last fall.
Question. Did you ask him if he voted?
Answer. I did not ask him if he voted on the eighth of November.
Question. Where did you inquire for Daniel Kelly?
Answer. At 515 Second avenue.
Question. Was that where he was put down upon the list given you?
Answer. Yes, sir.
Question. Did you find him at 525?
Answer. No, sir; his family live upon the top floor; John Dougherty informed me; I don't know him personally, and did not go and see the family; I did not look for August Holston at the place where he was located by the poll-list.
Question. Where did you inquire for L. Dungstadter?
Answer. At 116 East Twenty-eighth street; I did not look for him; Charles Curry told me he lived there.
Question. In any of these cases did you go to see the families?
Answer. Not one.
Question. Except in the one or two or three cases you mentioned, did you see the parties themselves?
Answer. No, sir.
Question. You were engaged about one hour and a half in making this search?
Answer. About that.
Question. Do you think you have made it with as much care as you did your search at the various hotels?
Answer. Yes, sir.

Re-examined by Mr. ANTHON:

Question. Why did you not go up to see the families of these people?
Answer. I did not think it necessary, and I had not time; I did not get through with more than half of the list.
Question. Were you followed by a crowd of women and children?
Answer. Yes, sir.
Question. Which was the most accurate source of information, women at the houses or men and children?
Answer. Of course I would not expect the information from the women, because they all thought it was about the draft, and it was no use at all to explain to them.
Question. You say that you did not know a good many of these people; were not most of them familiar to you by appearance?
Answer. Those from whom I got the information were.
Question. That is to say, you knew their faces, but could not give their names?
Answer. I could not swear who they were.
Question. Were they, or were they not, persons familiar to you by appearance?
Answer. Take them in general, and they were.
Question. You know, of course, a great many persons whom you don't know by name?
Answer. Yes, sir.
Question. How long have you resided in that district?

Answer. About twenty-five years.

Question. You know the locality in Thirtieth, Thirty-first, and Thirty-second streets, between First and Second avenues?

Answer. Yes, sir.

Question. How are those streets built up?

Answer. Thirty-second street is built up with tenement-houses.

Question. How are Thirtieth and Thirty-first streets built up?

Answer. Thirtieth and Thirty-first streets, I think, have a better class of houses—I very seldom go round.

Question. Are not Thirtieth and Thirty-first streets built up with brown stone houses?

Answer. I think Thirtieth and Thirty-first streets have brown stone houses, but I don't know that there are any in Thirty-second street.

GEORGE McDONALD.

Attest: A. D. RUSSEL, *City Judge.*

Joseph Brenan sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. At 101 West Twenty-sixth street.

Question. In what election district?

Answer. Ninth election district, Twentieth ward.

Question. Were you present at the election in that district in the month of November last?

Answer. Yes, sir.

Question. How was that election conducted in respect to peace and order?

Answer. Quiet, sir

Question. Do you know Thomas E. Smith?

Answer. I do.

Question. Did you see him at that election?

Answer. Yes, sir.

Question. How much of the day was he there?

Answer. The greater portion of the day.

Question. Was he there at the time the polls were closed?

Answer. Yes, sir.

Question. Did he have a full opportunity of challenging at a position outside of the bar behind which the inspectors were?

Answer. He exercised it there fully.

Question. Were other challengers there on behalf of the republicans?

Answer. Yes, sir; Mr. Smith had another man with him.

Question. Did the inspectors receive votes from persons whose names were not on the register without requiring them to be proved?

Answer. No, sir.

Question. Were you in the poll-room?

Answer. Yes, sir; I made out affidavits.

Question. Did you see any person vote that day whose name was not on the register, unless he presented his affidavit and was vouched for as required by law?

Answer. No, sir.

Question. What was the occurrence that took place at the close of the poll in relation to some affidavits?

Answer. The canvassers demanded possession of the affidavits, and there was

a Mr. Gridley there from the eleventh election district who seized the affidavits, and insisted that the canvassers should have them.

Question. Who was Mr. Gridley?

Answer. A well known republican in the Twentieth ward; and the candidate of that party for the assembly.

Question. How was the difficulty settled?

Answer. The board of inspectors claimed that it was their right to retain them and that they were responsible for their delivery to the county clerk. The difficulty was finally settled by the police taking the affidavits.

Question. Was there anything that took place at that poll during the day that made it at all necessary for Mr. McAdam, the republican inspector, to advise Mr. Smith to leave the poll in order to save his life?

Answer. Nothing of the kind; Mr. Smith did not leave; he may have been absent fifteen or twenty minutes, as I was at dinner, but he was there the whole day, with the exception of intervals that were very short.

Question. Were the polls held near the Hoffman house, General Butler's headquarters?

Answer. Yes, sir; not a great ways from the corner of Twenty-fifth street and Broadway.

Question. Do you know Stephen Geoghegan?

Answer. I know him by reputation.

Question. What is his reputation?

Answer. Very bad; he is a "*rough*" and a "*bruiser*." He is a man, from what I hear, that no respectable man would have anything to do with, or speak to.

Cross-examined by Mr. PHELPS:

Question. Did you act as challenger, on the democratic side, in your district?

Answer. No, sir.

Question. What were you doing then at the polls?

Answer. Electioneering, so far as I could, for the democratic candidates, for president, governor, Congress, and assembly; that is, for the democratic candidates for Congress and assembly, that I indorsed.

Question. Were you inside of the polling-room?

Answer. Yes, sir; very much.

Question. Do you know that there is a statute forbidding electioneering in the poll-room?

Answer. I was not electioneering inside.

Question. How much of the time were you inside?

Answer. To make use of the expression, I was both inside and outside, for I went outside very often and got a voter to go in.

Question. Where were you most, inside or outside?

Answer. A great deal more outside.

Question. You are pretty sure you did not electioneer inside?

Answer. Yes, sir; in the morning, when the polls were opened, there was a difficulty in getting votes in quick, because Mr. Smith challenged men whom he knew to be voters. He got a register and took a station behind the bar with the inspectors, and stated that mens' names were not on the registry, when to my own knowledge they were on the book. He challenged such men, and he said he had a right to do so.

Question. Did he say he knew they were legal voters, but that they were not on the registry?

Answer. They were legal voters, and he knew it; I refer particularly to two well-known citizens he challenged.

Question. Did he say why he challenged them?

Answer. No, sir.

Question. What does Mr. Smith do?

Answer. He holds an office, by the procurement of Mr. Opdyke, in the street commissioner's office; I think he is one of the collectors of assessments.

Question. What intercourse have you had with Mr. Geoghehan?

Answer. I never have any intercourse such a man.

Question. Don't you know him personally?

Answer. No, sir.

Question. Is he a resident of the same ward with yourself?

Answer. No, sir.

Question. Do you know him by sight?

Answer. No, sir.

Question. You know him solely by reputation?

Answer. That is all.

Question. Can you give me the names of some of the parties you have heard speak of him?

Answer. At the time of Mr. Clancey's death, I heard several talk of Mr Geoghegan.

Question. Who was one?

Answer. Mr. Michael Wayland.

Question. Do you know whether Mr. Wayland had had a quarrel with Mr. Geoghegan?

Answer. I know he had not; he talked of him as a fighter and a rowdy; there are others in his own ward who know him, but I believe it would be dangerous to mention their names; there are several in his own ward.

JOSEPH BRENAN.

Attest: A. D. RUSSEL, *City Judge.*

Edwin Dobbs sworn.

Examined by Mr. WATERBURY:

Question. Where do you reside?

Answer. 108 West Thirty-eighth street.

Question. What is your business?

Answer. A builder—carpenter.

Question. Describe what is usually known as a building loan?

Answer. It is where a party purchases a lot and receives a certain amount agreed upon to put up one of a certain class of houses.

Question. Is the amount he receives by loan in addition to the purchase money of the lot?

Answer. Yes, sir.

Question. How is the repayment of the money secured?

Answer. It is generally paid in instalments by the mortgagee to the mortgagor as the building progresses.

Question. But how is the repayment secured?

Answer. By a mortgage on the entire premises, lot and building.

Question. A mortgage for the purchase money and the amount loaned towards the erection of the buildings?

Answer. Yes, sir.

Question. Are lots generally sold at lower or higher prices upon those terms?

Answer. Generally at higher prices.

Question. In addition to the purchase money of the lot, what proportion of the value of the building to be erected upon the lot is usually lent upon the mortgage?

Answer. That is a matter of agreement between the parties.

Question. Well, usually?

Answer. Probably fifty per cent., on the building.

Question. Making generally about what proportion of the total cost of the lot and building secured by the mortgage?

Answer. I would answer that in this way; a lot sold at three thousand dollars and the arrangement made to put a house or any other building upon it, to cost three thousand dollars, they might loan fifteen hundred dollars, that would be fifty per cent., and take a mortgage for four thousand five hundred dollars with the assignment of a policy of insurance by the mortgagor to the mortgagee.

Question. What is the ordinary rule among capitalists and insurance companies for loaning money on mortgage—what proportion of the value of the premises will they loan?

Answer. It depends a great deal upon the bondsman, as a general rule I suppose about sixty per cent.

Question. That is where the bondsman is first rate?

Answer. As a rule they generally want a bondsman to be good, but sixty per cent. is loaned upon the security of the lot and the improvements.

Question. The mortgage in such a case would be for a lesser amount than in a case where the lender had sold a lot and obtained an extra price for it in consideration of making a loan, would it not?

Answer. Insurance companies generally have some party in whom they have confidence, whom they send to examine the property; for instance, a party makes application for a loan of seven or ten thousand dollars, and they send a person who makes an examination, reports the value of the premises to be, say, fifteen thousand dollars. Then they act accordingly.

Question. Now, supposing a man to sell a lot which was worth in the market three thousand dollars cash, and he was going to make a building loan, what would he probably ask for the lot?

Answer. Well, he would get about four thousand dollars.

Question. Then if a building is put up, costing six thousand dollars, and he loans three thousand dollars in addition to the purchase money, he would take a mortgage back for seven thousand dollars. Now what would an insurance company loan on the same premises?

Answer. They would not loan as much as that; they would send some one, as I said before, who was well posted as to the value of the lot and the improvements, and he would fix the value of the lot at about three thousand dollars, and the house, we will say, was worth six thousand dollars, then they would loan sixty per cent. upon the whole value.

Question. That would be about five thousand four hundred dollars, and in the case of a building loan the mortgage would be for seven thousand dollars, would it not?

Answer, Yes, sir.

Question. If mortgages were given by persons under such circumstances, for, from two-thirds to three-quarters of the actual value of the property, and there was any delinquency or danger of default in the payment of either, principal or interest, would not the mortgagor, as a matter of course, be under greater apprehension and more under the control of the mortgagee than he would be in case only sixty per cent. of the actual value had been loaned?

Answer. I presume he would feel he was under obligations to him and would be inclined to oblige him.

Question. And would he be under greater apprehension in consequence of difficulty of obtaining so large a loan and avoiding a foreclosure than the other borrower would?

Answer. A speculator buys a lot and builds upon it and sells, but in the meantime he is not released, and is then under obligation to the mortgagee and is disposed to oblige him.

Question. Would it not be the same way with a man of limited means should he buy a lot and put up a house for his own use and not sell or rent it?

Answer. He certainly would feel under obligations to the mortgagee.

Question. In other words the greater the amount loaned on the mortgage the greater would be the difficulty of procuring another loan?

Answer. Yes, sir.

Question. Have you a general idea of the character of Second avenue above Twenty-third street?

Answer. That is all.

Question. Should you think that between the Second avenue and the river, about Thirt eth and Thirty-first streets, was a good place to put up brown stone houses?

Answer. I should think not.

Question. Do you think that such houses put up in that locality would be likely to turn out a poor investment?

Answer. Well, s me instances have occurred where there have been pretty good investments, for instance, on the west side of the city at Chelsea. That has been made a pretty good neighborhood; but this side, from what I hear and know of it, is very different, and is nothing in comparison with the western. I am not conversant with the property to which you refer.

Question. You speak from your general knowledge as a builder?

Answer. That is all.

Cross-examined by Mr. PHELPS:

Question. Do you know whether or not such building loans are most frequently made to builders or speculators who have to sell to other parties?

Answer. That is the case generally.

Question. I suppose it would not be worth while to ask you any questions about property in the neighborhood in question, as you have not passed through it?

Answer. I have been there but did not notice it.

Question. I ask if, in your experience, a capitalist who builds some three or four blocks in an unfavorable locality and makes these blocks uniform and of a certain class, does not make a successful operation when a person would fail who had not a sufficient amount of money?

Answer. That was the way property was forced up on the other side of the town.

Question. Do you know any reason why a similar speculation might not be successful in the locality about which you were questioned?

Answer. It might be the locality between the Second avenue and the river, I don't think, is as good as that between the Eighth and Tenth avenues. In reaching these locations you have to pass through neighborhoods that are not of the same character.

Question. Do you know anything of the character of Thirty-first street from the Fifth avenue down to the east river at the present time?

Answer. No, sir.

Re-examined by Mr. WATERBURY:

Question. Do you think a capitalist would be likely to make a profitable investment by erecting brown stone houses in the fourth ward or the sixth?

Answer. No, sir.

Question. If a speculator who has put up such buildings sells out to other parties, does he not sell subject to the mortgage?

Answer. The party purchasing assumes the obligation.

Question. If I understand you rightly, persons who have but little money to invest in real estate are more likely to purchase such property at higher prices

because of the money that is given on mortgage. Have you not known of cases in which people have purchased in that way and been unable to pay the mortgage to the mortgagee, losing the property by foreclosure?

Answer. There is no case coming to my mind at present.

Question. There is no case of which you have a personal knowledge?

Answer. I don't remember of any now, probably there has been in my experience.

EDWIN DOBBS.

Attest: A. D. RUSSEL, *City Judge.*

Adjourned till 7½ p. m.

MONDAY EVENING, *April* 3, 1865.

John Murray, sworn.

Examined by Mr. ANTHON:

Question. Have you, since the last adjournment, made any search for voters described as not found in the Twenty-first ward?

Answer. I have inquired for Mr. Sheridan; he lives at 123 east Twenty-ninth street; he is a night-watchman in the St. James Hotel.

Question. How long have you known him?

Answer. Eight years.

Question. In what district is he a voter?

Answer. Second district, Twenty-first ward.

Question. Have you made search for any other?

Answer. Owen Lamb.

Question. Do you know if he is marked on the list of Mr. Berryman?

Answer. Cannot tell you; Mr. Berryman said he could not find him.

Question. Where does Mr. Lamb live?

Answer. At 134 east Twenty-ninth street.

Question. Is he a legal voter in that district?

Answer. Yes, sir.

Question. Do you know him?

Answer. Yes, sir.

Question. You know he is alive?

Answer. Yes, sir; and know he is a voter in that district; he sits here.

Cross-examined by Mr. PHELPS:

Question. When did you first begin to search for Mr. Sheridan?

Answer. About one hour ago; I was here the day I heard the name mentioned, and I knew him eight years ago.

Question. If you only searched an hour ago how could you know you could find him and bring him?

Answer. I told Mr. Anthon when I was here I would bring him, because I was well acquainted with him.

Question. You say you know Mr. Sheridan to be a legal voter; is he naturalized or native born?

Answer. Naturalized.

Question. How long ago naturalized?

Answer. Could not tell you.

Question. How do you know he is naturalized?

Answer. I inquired.

Question. Did he distinctly tell you at any time that he had naturalization papers?

Answer. He did.

Question. Did he ever tell you that he voted?
Answer. He told me he did, this afternoon. He walked here.
Question. Does he sleep at that place?
Answer. Yes, sir.
Question. When does he sleep?
Answer. In the day time.
Question. What does Owen Lamb do?
Answer. He attends a grocery store for Mr. Larken.
Question. Where is that?
Answer. At 134 east Twenty-ninth street.
Question. And he boards with Mr. Larken?
Answer. Yes, sir.
Question. You don't know whether these men voted from those same numbers, or others?
Answer. They voted from the same numbers.
Question. Have you seen the poll-list?
Answer. I have not, sir.
Question. How do you know it?
Answer. From their own words, sir.
Question. Have you been on the stand before?
Answer. Yes, sir.

JOHN MURRAY.

Attest:

A. D. RUSSEL, *City Judge.*

Owen Lamb sworn.

Examined by Mr. ANTHON:

Question. Your name is Owen Lamb?
Answer. Yes, sir.
Question. Where do you live?
Answer. 134 east Twenty-ninth street.
Question. How long?
Answer. Since last year.
Question Have you voted from that address?
Answer. Yes, sir.
Question. Did you vote from that address at the last general election?
Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. Where did you live before you came there to live?
Answer. I lived in Twenty-third street.
Question. Which side of Twenty-third street?
Answer. No. 216.
Question. Is that the north or south side?
Answer. It is on the lower side.
Question. Are you naturalized or native?
Answer. I got my papers out last fall.
Question. What tim last fall?
Answer. I suppose about September or October, or about that.

OWEN LAMB.

Attest:

A. D. RUSSEL, *City Judge.*

Joseph Brennan recalled.

Examined by Mr. ANTHON:

Question. Have you made search for Mr. C. Dempsey, poll clerk at the last November election of the fifteenth district, Eighteenth ward?
Answer. Yes, sir.
Question. For what purpose?
Answer. To serve a subpœna.
Question. Did you find him?
Answer. No, sir; I heard he was dead and buried.
Question. Did you serve a subpœna in this case upon Mr. Benjamin F. Manierre, the provost marshal?
Answer. Yes, sir.
Question. Upon Mr. Edwin D. Morgan, late governor of the State of New York?
Answer. Yes, sir.
Question. Upon Mr. James Kelly, the postmaster of this city?
Answer. Yes, sir.
Question. Upon Mr. Cummings H. Tucker?
Answer. Yes, sir.
Question. Upon Mr. Wm. R. Stewart, supervisor?
Answer. Yes, sir.
Question. When were those subpœnas returnable?
Answer. Returnable upon the 23d of March before Judge Brady.

Cross-examined by Mr. PHELPS:

Question. When did you seek Mr. Dempsey to subpœna him?
Answer. This evening.
Question. Did you not know that the law of subpœna was powerless unless five days were to run before the return?
Answer. Never heard the like in my life before.
Question. Were you simply told to serve the subpœna?
Answer. I got it two or three days ago, and could not find him, and inquired at the police headquarters and found he was dead.

Re-examined by Mr. ANTHON:

Question. Did he die more than five days ago?
Answer. Some time ago, they told me.

Recross-examined by Mr. PHELPS:

Question. Did you make search more than five days ago?
Answer. I did not.

JOSEPH BRENNAN.

Attest: A. D RUSSEL, *City Judge.*

James Henderson sworn.

Examined by Mr. ANTHON:

Question. What is your business?
Answer. Attorney and counsellor-at-law.
Question. Do you know Gideon L. Walker?
Answer. I do.
Question. What is his character?
Answer. Well, I should say it was bad.
Question. In what respect?

Answer. As to truth and veracity.
Question. And how as to his integrity and honesty?
Answer. I should say it was very bad.

Cross-examined by Mr. PHELPS:

Question. Do you know Mr. Walker personally?
Answer. Yes, sir.
Question. What intercourse have you had with him?
Answer. Socially, professionally, and politically.
Question. Under which head would you put it?
Answer. Well, he was formerly a partner of mine.
Question. You are a lawyer then?
Answer. I was not a lawyer then, while he was a partner; I took him in to conduct the law business for me; I was then in the mercantile agency business.
Question. Did you part with him on good terms?
Answer. No; I think there was some little feeling, but we are on very goods terms at present.
Question. Why would you say that his character for veracity was bad?
Answer. Because he told a good many falsehoods; I have introduced him to parties who have found a good deal of fault with him; they became acquainted with him through me.
Question. Do you know anything which would impugn his character for honesty?
Answer. His transactions; I know many of his transactions will impugn him.

Re-examined by Mr. ANTHON:

Question. What are your politics?
Answer. Well, I have lived about thirty years in this town, and I have been entitled to vote eighteen years, and out of that time I have voted only six times.
Question. What was the last?
Answer. For the amendment allowing soldiers to vote.
Question. And the last before that?
Answer. I think it was four years ago I voted for Abraham Lincoln for President; also for Gunther for mayor, and both times I made a mistake.

JAMES HENDERSON.

Attest: A. D. RUSSEL, *City Judge.*

James A. Wilmurt sworn.

Examined by Mr. ANTHON:

Question. Your business?
Answer. Looking-glass dealer.
Question. Whereabouts is your place of business?
Answer. 706 Broadway.
Question. How long in business in New York?
Answer. About forty years.
Question. Do you know Gideon L. Walker?
Answer. Yes, sir.
Question. What is his character?
Answer. From the little transactions I have had with him I should consider it unreliable.
Question. In what respect?
Answer. In misrepresenting the truth.
Question. You consider his character for truth and veracity bad?

Answer. I should say so.

Question. How is his character for honesty?

Answer. Upon his receiving money for performing services, and returning from a distance where those services were to be performed, and reporting the service performed, and I suddenly finding it was not performed at all, is what I base my judgment upon.

Question. Should you say his character is good or bad as to honesty?

Answer. I should draw my conclusion from that, that his character was bad as to honesty.

Cross-examined by Mr. PHELPS:

Question. This one transaction is the only one you have had that goes against Mr. Walker?

Answer. I think it is.

Question. Have you any objection to stating what the transaction was?

Answer No, sir.

Question. Will you state it?

Answer. I had an absconding debtor who had purchased goods under false pretences. After some time had transpired, having lost sight of him entirely, I received a telegraphic despatch from the chief of police in St. Louis asking questions in relation to my claim against a certain individual. That was the first information I had that this party had business anywhere. This I told Mr. Henderson and Mr. Walker. I thought from that information there seemed to be an interest taken in the matter, and Mr. Walker came to me and proposed to go to St. Louis to see about it. He had opportunity to handle him pretty roughly, besides mere indebtedness. He said he had claims against him of some kind, and if I would appropriate money to defray his expenses he would go on and execute this business for us. I think the proposition was to bring him here on a requisition. I appropriated the money. He started, arrived there, and came back. When he came here I saw him and he told me he could not succeed in bringing him away, or do any better than take a mortgage, I think, on his property; that he was making money and in all probability would pay it. I felt somewhat dissatisfied with the idea of leaving it in that way, as the title of the mortgage would not amount to any security, and finding fault with that, I asked to see the document. He said he had secured all the parties concerned in the mortgage together. He did not leave me the document. I asked him on several occasions—different times; and from time to time he offered a new excuse—that he had forgotten to bring it, or left it home, or some other excuse. From that I suspected there might be some misrepresentation. My clerk went out on a trip to Chicago on business. I commissioned him to go to St. Louis and search the record and get a certified copy of that mortgage, which he did and brought it home. I asked Mr. Walker, when my suspicions were excited, positively, if he had my debts secured in that mortgage, to which he as pointedly answered in the affirmative, that he had. I received the documents, certified, from the clerk, which was to the contrary. That is what I base my judgment upon.

Question. Were you introduced to Mr. Walker by Mr. Henderson?

Answer. Yes, sir.

Question. You applied to the mercantile agency to get your debt collected?

Answer. Yes, sir; I don't know that I could say I applied to it; he came to me and made the proposition; I had applied there previously, and I think it was from the fact that this man had turned up that the proposition was made to me. The case was of such a character that Mr. Henderson, by whom he was introduced to me, after my asking or speaking about it, refunded me the money.

Question. Who was the mortgagee?

Answer. I think there were two.

Question. Did you recognize the two as parties here whose debts were being secured through Mr. Walker, or strangers in New York?

Answer. I did not investigate.

THOMAS A. WILMURT.

Attest: A. D. RUSSEL, *City Judge.*

R. S. Guernsey sworn.

Examined by Mr. ANTHON:

Question. What is your occupation?

Answer. Practicing lawyer.

Question. How long have you been in the practice of the law?

Answer. Six years in June.

Question. Do you know Gideon L. Walker?

Answer. I do.

Question. What is his character?

Answer. I should call it bad—very bad.

Question. In what respect?

Answer. Moral character.

Question. How is it for truth and veracity?

Answer. I should call it bad.

Question. And his character for integrity and honesty?

Answer. I have heard it called bad.

Cross-examined by Mr. PHELPS:

Question. Do you know Mr. Walker personally?

Answer. I do.

Question. Have you had any business intercourse with him?

Answer. Yes, sir.

Question. What was the nature of that intercourse?

Answer. I have been employed in different cases where he has been engaged on the opposite side, and have met him otherwise. I should say that I never discovered anything improper with him at all, and that I speak from what I have heard from other persons. In my own experience I have never observed anything improper, because I kept on my guard, and we are on the best of terms—always speak—and never had a word.

Answer. Can you give me the name of any one you heard speak of Mr. Walker's character?

Answer. I don't think I could, any particular one.

Question. You said that from your own experience of him there was nothing improper?

Answer. I never saw anything, in my own experience, that I held was out of the way.

Question. And you cannot recollect the name of any one who spoke against him?

Answer. I have heard often of his being in jail—for fraud two or three times. He told me he had been in the Capitol prison; did not tell what it was for.

Re-direct examination by Mr. ANTHON:

Question. Did he tell you how he got out of prison?

Answer. No, sir.

Question. He did not tell you about any letter written by Mr. Dodge for the purpose of getting him out?

Answer. No, sir.

R. S. GUERNSEY.

Attest: A. D. RUSSEL, *City Judge.*

Samuel Brown sworn.

Examined by Mr. ANTHON:

Question. Your profession?
Answer. Lawyer.
Question. How long a practicing lawyer in the city of New York?
Answer. Ten years.
Question. Do you know Gideon L. Walker?
Answer. I do.
Question. What is his character?
Answer. As far as I have heard of it, it is bad.
Question. In what respect?
Answer. For honesty and integrity.
Question. What is his character for truthfulness?
Answer. From my experience with him, I should say it was very bad; I would be unwilling to believe him.

Cross-examined by Mr. PHELPS:

Question. What intercourse have you had with Mr. Walker?
Answer. I have had a suit with him two or three years; I have had two or three cases in which I have had some part.
Question. Always on the opposite side?
Answer. Yes, sir.

SAMUEL BROWN.

Attest: A. D. RUSSEL, *City Judge.*

William Kelly sworn.

Examined by Mr. ANTHON:

Question. Where do you reside?
Answer. Fortieth street, between First and Second avenues.
Question. Are you a legal voter in the seventh district, Twenty-first ward?
Answer. Yes, sir; I have been a legal voter since James K. Polk was elected.
Question. And voted in that district ever since?
Answer. No, sir; I came from Manhattanville.
Question. How long in the Twenty-first ward?
Answer. The Twenty-first ward used to be the Eighteenth; I have been voting about twenty years in that ward.
Question. Do you live in the Nineteenth ward?
Answer. No, sir; in the Twenty-first ward.
Question. If any man says you live in the Nineteenth ward, what do you say of him?
Answer. I say he is a perjurer, sir.

Cross-examined by Mr. PHELPS:

Question. Were you here at the last election?
Answer. Yes, sir; I got honorably discharged under General McClellan.
Question. Did you vote for James K. Polk?
Answer. Yes, sir, I did; and for Dallas too, in that election; but I did not vote for any black republican this time.
Question. Were you wounded in the army?
Answer. No, sir, I was not. I think I was too long in the army without being wounded.

WILLIAM his × mark. KELLY.

Attest: A. D. RUSSEL, *City Judge.*

Robert Walker sworn.

Examined by Mr. ANTHON:

Question. Where do you live?
Answer. Fortieth street.
Question. Which side?
Answer. South side.
Question. Do you live in the seventh district, Twenty-first ward?
Answer. Yes, sir.
Question. Did you vote there at the last general election?
Answer. Yes, sir.
Question. If any man says he could not find you in the seventh district, but that you live in the nineteenth ward, what do you say about the man?
Answer. I say he is a perjurer. I have lived there nine or ten years.

Cross examined by Mr. PHELPS:

Question. Do you live in a house by yourself?
Answer. Yes, sir; with my own family.
Question. No other family lives in the house?
Answer. No, sir.

ROBERT his × mark. WALKER.

Attest: A. D. RUSSEL, *City Judge.*

Ignatius Fox sworn.

Examined by Mr. ANTHON:

Question. Did you hold any position at the last presidential election in respect to receiving or canvassing votes?
Answer. I was district canvasser in the thirteenth district, Twenty-first ward.
Question. Do you remember at any time leaving the polls while the canvass was going on, and going to Parker's for the purpose of refreshment?
Answer. I do.
Question. Who went with you?
Answer. Judge White and Mr. Baker.
Question. Who were Judge White and Mr. Baker?
Answer. The other two canvassers.
Question. So that all three canvassers left the canvassing place?
Answer. Yes, sir.

Cross-examined by Mr. PHELPS:

Question. What did you go to Mr. Parker's for? To get your supper, or for what purpose?
Answer. To get something to eat and some refreshments.
Question. How long were you gone?
Answer. About twenty minutes.
Question. Was anybody left in the poll-room when you went away?
Answer. The poll-room was full of people then.
Question. Was any one left within the enclosure where the ballots were—behind the counter?
Answer. There was one policeman and two or three other citizens standing at one of the tables inside of the enclosure, and the rest were outside.
Question. Were the tickets out upon the table, or had they been removed?
Answer. We were after canvassing, I think, the city and county box.

Question. Was the canvass of the box complete?

Answer. I think it was, to the best of my knowledge.

Question. Were any tickets left loose upon the table when you went away?

Answer. There were some scratched tickets which we all concluded to lay aside, and I don't suppose they were put away.

Question. All others were put away?

Answer. Yes, sir.

Question. Did you hear when absent of any one interfering with the votes or ballots?

Answer. Could not tell.

Question. There were one policeman and a couple of citizens there when you came back?

Answer. There might have been three or four; the crowd went out.

Question. Did you know who the two citizens were?

Answer. I forgot who they were. I don't think they were anybody whom I particularly knew so that I could remember the names.

Question. Did you hear that any one had touched the ballots?

Answer. I did not.

Question. Have you had any reason to suppose that any one had, while you were away?

Answer. I have none; or I would not have gone way. It was Judge White who made the proposition to go over, and I knew the gentleman, and I thought it was safe in leaving them.

Question. You did not leave a ticket in the midst of its canvass?

Answer. I don't think there was any; we completed the canvass of that box, and I think it was the city and county box which we finished; I think it was completed when we left.

Re-examined by Mr. ANTHON:

Question. Judge White is a republican?

Answer. Yes, sir.

Question. And it was at his request you went out?

Answer. Yes, sir.

Question. You don't know what was done with the ballots while you were gone?

Answer. No, sir.

Question. Do you remember in what order the tickets were canvassed?

Answer. We canvassed the President box by counting the whole number first and then dividing the tickets; with every other box we did not go through that formality, but simply counted in tens, without counting the total, and then got the aggregate.

Question. So that with regard to the other tickets you simply counted them by tens, and did not count the whole number of votes until you finally concluded the canvass of each box?

Answer. Yes, sir; with the exception of the presidential box.

Question. Do you remember in what order you canvassed the different boxes?

Answer. The presidential box was one; State, two; Congress, I think, was the third box, and assembly, I think, was next; then city and county.

Question. Are you sure of the order?

Answer. Well, I can't particularly swear; I should believe they were canvassed as the boxes were numbered.

Question. At what sort of a place were the polls held?

Answer. A harness store.

Question. What was next to it?

Answer. There was a jewelry store, a paint store, and then a liquor store on the corner.

Question. How far is the liquor store from the polling place, two stores above?

Answer. Yes, sir; about that.

Question. Is that about forty feet?

Answer. Well, it is about fifty feet, I think.

Question. Was there liquor sold at the liquor store that day?

Answer. There was.

Recross-examined by Mr. PHELPS:

Question. Do you feel pretty sure that the congressional ticket had been canvassed before you went out to get your supper?

Answer. I think it had been, sir.

Question. Was this liquor shop kept by either of your canvassers?

Answer. No, sir.

Question. By any party who was connected with the polls of that district?

Answer. No, sir; the place we went into was Parker's.

Question. I mean this place within fifty feet?

Answer. We had nothing to do with it; there was no officer who went to it, or had anything to do with it.

(Counsel for Mr. Brooks puts in evidence papers marked Exhibits 10 and 11.)

IGNATIUS FOX.

Attest: A. D. RUSSEL, *City Judge.*

John J. Duffey sworn.

Examined by Mr. ANTHON:

Question. Did you hold any position in reference to receiving and canvassing votes at the last presidential election?

Answer. Yes, sir; poll clerk, seventh district, Twenty-first ward.

Question. Were you there all day?

Answer. Except during dinner time.

Question. Were you there at the close of the polls?

Answer. Yes, sir.

Question. And during the canvass of the votes?

Answer. Yes, sir.

Question. How was the election conducted, as to its order and peacefulness?

Answer. There was nothing to disturb the usual peace of the election.

Question. Did you see any difficulty or fight there, at any time, between any person and the police?

Answer. No, sir; not during the day.

Question. Did you see this person here, Stephen Geoghagan, in the poll room during the day?

Answer. Yes, sir.

Question. Did you see him get into any difficulty, or make any muss, as it is termed, with any person that day?

Answer. I think not.

Question. Did you see any muss or difficulty made by him at the time that the voter presented his vote, with the idea of covering his retreat from the polls?

Answer. Not at that election; at the December election I did.

Question. You remember to have seen that occurrence at the December election?

Answer. I think I did; I was poll-clerk then.

Question. What was his object?
Answer. To have the person vote there. It was objected to by one of the inspectors and the person left the room.
Question. That was at the December election?
Answer. Yes, sir.
Question. You are sure it was not at the November election?
Answer. I don't think it was.

JOHN J. DUFFEY.

Attest: A. D. RUSSEL, *City Judge.*

James Thompson sworn.

Examined by Mr. ANTHON:

Question. You are proprietor of this house?
Answer. Yes, sir.
Question. Where was the election held in this district?
Answer. In my stable.
Question. What is the district?
Answer. Fifteenth district, Eighteenth ward.
Question. Where was the register made?
Answer. In the back room, sir, on the first floor of this house.
Question. Does your stable and this building form parts of continuous premises?
Answer. Yes, sir.
Question. Had you any position in reference to the receiving and canvassing of votes at the last presidential election?
Answer. No, sir.
Question. Were you one of the registers of the election?
Answer. No, sir.
Question. One of the inspectors of the registry?
Answer. No, sir.
Question. Did you enter any names in the book or registry of this district?
Answer. The book belonging to the board of registry?
Question. Yes, sir.
Answer. No, sir.
Question. What connexion had you with the registration of names at the November election?
Answer. Nothing more than taking the names of parties when the registers were not sitting.
Question. What did you do with the names?
Answer. I kept them till the registry board met and handed them to the registers.
Question. That is all?
Answer. Yes, sir.
Question. What did they do with the names?
Answer. They set them down in the book.
Question. What persons?
Answer. Persons that I knew pretty well.
Question. Did you make any statement to the registers at the time you handed the list to them?
Answer. Well, they disagreed first as to taking them, and then they came to the conclusion, at the latter end, that they would take them.
Question. Do you know what the politics of the board of registry were?

Answer. Yes, sir; I understood they were two republicans and one democrat.
Question. Were you present at the election, Mr. Thompson?
Answer. Yes, sir.
Question. During the greater portion of the day?
Answer. Yes, sir.
Question. How was the voting conducted in this district, rapidly or slowly?
Answer. Very slow.
Question. What caused the slowness of the voting?
Answer. On account, I thought at the time, of there being a great many names on the book and residences of the parties who gave them in that were wrong.
Question. What difficulty was there in regard to the register?
Answer. The way I understood was, that it was the register clerk, or somebody connected with the registry, who made the blunders in the names.
Question. What blunders were made?
Answer. In putting down wrong names and wrong residences.
Question. Have you heard any complaints about it?
Answer. I have not remarked myself.
Question. Have you heard from other parties in this district?
Answer. Yes, sir; a good many came in and found their names and numbers wrong, and spoke of it, and had them corrected, as I thought, at the time. On election day they were yet wrong.
Question. Do you remember one of the priests, having charge of this portion of the city, coming here as a voter, and finding a difficulty of that kind?
Answer. Yes, sir, I do.
Question. Who was it?
Answer. Dr. Morrough.
Question. What difficulty did he find on the register?
Answer. His name was spelled wrong according to the way he wrote it himself, and his number was wrong.
Question. Is he not well known in the district?
Answer. Yes, sir.
Question. It is essentially a Roman Catholic district?
Answer. Yes, sir; everybody knows him around here. Everybody that I am acquainted with knows him.
Question. What were the politics of the inspectors of the election?
Answer. I understand the majority of them were republican.
Question. Was the entire vote of the district polled that day?
Answer. No, sir; there was close to four hundred votes lost.
Question. How many were waiting at the closing of the polls for an opportunity to vote?
Answer. I think there were close to two hundred.
Question. What do you consider would be the legal vote of this district?
Answer. I consider eight hundred or upwards.

Cross-examined by Mr. PHELPS:

Question. Is there any door connecting your stable with your house here so that you can pass from your house to your stable without going into the street?
Answer. There is a door connecting at the bottom and at the top.
Question. So you can get into the stable without going into the street?
Answer. No, sir; I cannot.
Question. There is no connexion between the stable and the house?
Answer. No, sir; it is a small building.
Question. There is no door between the house and the stable.
Answer. No, sir; it is close by the door.

Question. Dr. Morrough's name was spelled wrong and his address was wrong.

Answer. Yes, sir.

Question. Did not Dr. Morrough get some householder to swear him in?

Answer. No, sir; I had the name corrected.

Question. And then was he allowed to vote?

Answer. Yes, sir; I understood him to vote. I did not see him vote myself.

Question. Those names that you took—did you know all the parties personally whose names were down in the book that you kept?

Answer. Yes, sir; part.

Question. All of them?

Answer. No, sir.

Question. Who else took them—your young man at the bar?

Answer. Not what I took; nobody interfered with it but myself.

Question. In your book nobody wrote any names but yourself?

Answer. Not to my knowledge.

Question. You are sure your bar-keeper took none?

Answer. I understood he did take some, and carried them in himself, personally, that is when the board of registry was sitting here.

Question. But he did not put any down in the book you had?

Answer. No, sir; not as I know of.

Question. You say that on the register there were many cases where both name and number of the house were wrong?

Answer. Yes, sir.

Question. How much liquor did you sell here on election day?

Answer. Don't know, sir.

Question. Much or little?

Answer. I did not pay any attention to the store that day; I was pretty busy. I was trying to do as much as I could at the election.

Question. How many men do you usually have at your bar—not on election days, but ordinary days? Do you keep more than one bar-keeper?

Answer. No, sir; only one.

Question. How many on election day?

Answer. Two previous to the election for some time, and a good while after it.

Re-examined by Mr. ANTHON:

Question. When did you first hear any complaints made of this incorrect register?

Answer. At the time the board was sitting.

Question. While the registration was going on?

Answer. Yes, sir.

Question. Don't you remember a man by the name of Coyle saying that it was going to give trouble?

Answer. Yes, sir, and a good many said so.

Question. What did they say as to the cause of these mistakes?

Answer. A good many around here thought, and I thought so myself, that the republicans had the thing in their own hands, and were going to cheat us out of the votes.

Question. Your impression was that it was an intentionally incorrect register?

Answer. Yes, sir.

Recross-examined by Mr. PHELPS:

Question. Why did you think it was intentionally incorrect?

Answer. By those names I saw on the books myself, while they were sitting there.

Question. Then it was because they were incorrect that you thought it was intentional?

Answer. Yes, sir.

Question. You think this district could poll eight hundred votes?

Answer. I know that we had a register of seven hundred and some odd names, and I know a great many more we did not register who were legal voters.

Question. Do you know how many the old district ever polled, of which this is only one-half?

Answer. I have no knowledge of it.

Question. What did Mr. Coyle say to you?

Answer. I disremember what he said to me on the matter. I remember he made some remarks about the register board.

Question. But do not remember what he said?

Answer. No, sir.

Question. How much time were the two registers here, or the three; how much of the two sessions; they ought to have been in session three days one time, and two at another?

Answer. I think they sat three days, as near as I can judge.

Question. How much time was Mr. Hall here?

Answer. I think he was here most of the time.

JAMES THOMPSON.

Attest: A. D. RUSSEL, *City Judge.*

Eugene Sullivan sworn.

Examined by Mr. ANTHON:

Question. Where do you live?

Answer. One hundred and forty East Fortieth street.

Question. Which side of the street?

Answer. On the south side.

Question. You live in what district of what ward?

Answer. In the Twenty-first ward.

Question. Where did you vote?

Answer. Corner of Thirty-ninth street and Second avenue.

Question. You live in the seventh district of the Twenty-first ward?

Answer. Yes, sir; if that is the seventh district.

Question. If Mr. Myers and Mr. Geoghegan swear that you did not live in that district, what have you to say about their statements?

Answer. I have lived in the same place since 1858, about seven years, and have always voted in the district.

Question. And if they say you have not voted in that district, are they not mistaken?

Answer. Yes, sir.

Question. Between what avenues do you live?

Answer. Between the Second and Third avenues.

Cross-examined by Mr. PHELPS:

Question. If it should happen that Mr. Geoghegan did not say you did not live there, then Mr. Geoghegan is not mistaken?

Answer. No, sir.

EUGENE SULLIVAN.

Attest: A. D. RUSSEL, *City Judge.*

The counsel for Mr. Brooks puts in evidence papers marked as Exhibits 12, 13, and 14.

Frederick Jung sworn.

Examined by Mr. ANTHON:

Question. Where do you live?
Answer. Two hundred and twenty avenue A.
Question. Are you well acquainted with the fifteenth district, Eighteenth ward?
Answer. Yes, sir.
Question. Do you know most of the German residents there?
Answer. Many of them.
Question. Do you know Charles Boske?
Answer. No, sir.
Question. Do you know any person living at 307 East Fourteenth street?
Answer. I hardly know any living in Fourteenth street.
Question. You do not remember that name at all?
Answer. No, sir.
Question. Do you know a person named Boxberg?
Answer. No, sir.
Question. Do you know Jacob Wievel, 504 East Fifteenth street?
Answer. Fagle is his name, I believe.
Question. Where does he live?
Answer. He keeps a grocery store in Fourteenth street.
Question. Is he a voter in this district?
Answer. Yes, sir.
Question. Do you know James Zines or Ziner, 517 East Sixteenth street?
Answer. I know Zeiter.
Question. Where does he live?
Answer. Sixteenth street, a few doors below avenue A.
Question. Do you known James Hines?
Answer. Yes, sir.
Question. Where does he live?
Answer. On the same side of the street, about five houses below.
Question. About what number?
Answer. Can't tell you. It is in Sixteenth street.
Question. Is he a voter in this district?
Answer. Yes, sir.
Question. Do you know John Zeigler, or Zigler, 505 East Sixteenth street?
Answer. I know a man by the name of Zeiter.
Question. Where does he live?
Answer. In Sixteenth street, three doors below avenue A.
Question. Do you know the number?
Answer. Don't know.
Question. What is his business?
Answer. Scavenger.
Question. Do you know Peter Eltens?
Answer. No, sir.
Question. Do you know John Keim, 222½ East Seventeenth street?
Answer. No, sir.
Question. Do you know Robert Resler?
Answer. No, sir.
Question. Do you know John Wensteer, or Wensteel, or any name similar to that?
Answer. No, sir.
Question. Do you know Emil Hene, or Heine, or Herr, anything like that, as it is a German name?
Answer. I may know the man, but cannot make the name out as you spell it.

Answer. No, sir.

Question. Just look at that list, if you please, and see if there are any persons on it you know.

(Witness examines paper.)

Answer. John Bowan and Patrick Bowan, 222 avenue A; both.

Question. Do they live there?

Answer. Yes, sir.

Question. Did they at the time of the last election in November.

Answer. Yes, sir.

Question. Are they voters in this district?

Answer. Yes, sir.

Mr. Phelps objects to witness examining the list, as it is a private memorandum.

Question. How do you pronounce your name; will you spell it?

Answer. Jung.

Question. How is it pronounced?

Answer. Young.

Question. How would an American write it?

Answer. Young.

Question. Is there any difficulty of Americans correctly spelling German names?

Answer. There is; no American could write my name except I spelled it for him.

Question. How is Morschauser in English?

Answer. You cannot spell it in any other way.

Question. How would an Englishman give the sound?

Answer. Mor-shau-zer; shau is pronounced the same as show in English.

Question. How is that pronounced shorzer?

Answer. That is about as near as you can get to it.

Question. How do you suppose an Irishman, or an American poll clerk, or anybody except a German, would be likely to get the name of Morschauzer?

Answer. Can't tell.

Question. Do you think he would be likely to get it right?

Answer. I believe not.

Question. Did you have any position in reference to receiving and counting votes at the last election?

(Mr. Dodge's counsel objects to the examination of the witness on the ground that no notice had been given of the examination of any such resident of the Nineteenth ward, when witness said that he belonged to the fire department, and had a residence in the Twenty-first ward. That being the residence of the witness as stated in the notice of Mr. Brooks, and the name being correct in that notice, the judge overruled the objection.)

Question. Had you any office in relation to receiving and counting votes at the last presidential election?

Answer. What do you mean by office?

Question. Did you hold any position?

Answer. Only as poll clerk.

Question. In what district?

Answer. Seventh district.

Question. In what ward?

Answer. Twenty-first ward.

Question. Who was your associate poll clerk?

Answer. Mr. Duffy.

Question. Were you there all day?

Answer. Yes, sir.

Question. You were present during the election and at the close of the polls?

Answer. Yes, sir.

Question. How was that election conducted as to its order?

Answer. Very well, indeed. I did not see anything out of the way.

Question. Did you see Stephen Geoghegan there?

Answer. Yes, sir.

Question. Did you see any muss, as some persons call it, made by him during that day?

Answer. I did not; no, sir.

Question. Did you see any difficulty between him and the policeman that day?

Answer. No, sir.

Question. Did you see any difficulty created by him at the time any vote was offered?

Answer. No, sir; everything went off very quietly.

Question. Did you vote for Mr. Brooks for Congress?

Answer. I did not, sir.

B. T. BEEKMAN.

Attest: A. D. RUSSEL, *City Judge.*

Harris Wines sworn.

Examined by Mr. ANTHON:

Question. Are you familiar with the old twelfth district, Eighteenth ward, now forming the twelfth and fifteenth districts?

Answer. Yes, sir.

Question. What is the number of voters in that district?

Answer. Seven or eight hundred.

Question. Was that the complete vote?

Answer. No; I suppose there are a thousand or twelve hundred voters in the district.

Question. Do you know John R. Hargin?

Answer. I do.

Question. What is his character?
Answer. In my opinion, it is not good.
Question. Do you think you would believe him under oath?
Answer. I would not.

Cross-examined by Mr. PHELPS:

Question. What intercourse have you had with Mr. Hargin?
Answer. I acted with him as register in the 9th district.
Question. This last year?
Answer. No, sir; three years ago.
Question. What other intercourse have you had with him?
Answer. I have frequently met him within four or five years, at differen places, on different occasions.
Question. Are you friendly with him?
Answer. No, sir, I am not, and don't want to be.
Question. Had you any misunderstanding with him?
Answer. Once.
Question. What was it?
Answer. He insulted me in an oyster saloon.
Question. How was the old twelfth district bounded, north, south, east, and west?
Answer. It was bounded on the east side by the First avenue, and westerly by the East river.
Question. And north and south?
Answer. From Seventeenth street to Fourteenth.
Question. Do you know that that district ever polled eight hundred votes?
Answer. Can't say positively; should think between seven and eight hundred, if my memory serves me right.
Question. Upon what facts do you base your opinion that the old district might have polled more votes?
Answer. Upon the fact that as I think, as a general thing, the inspectors did not take the votes as fast as they might have done.
Question. Have there been complaints at other elections in that district that the inspectors were slow?
Answer. I don't know.
Question. That remark applies to the old district?
Answer. Yes, sir.
Question. Had you any grounds for supposing it would poll a larger vote other than the fact that the parties around the polls were not able to get their votes in?
Answer. No, sir.
Question. How many do you think did not get their votes in?
Answer. In that district?
Question. Yes, sir.
Answer. I could not give any idea of that; I was not there all day, and as a matter of course I could not tell. I vote in the eleventh district.
Question. Then your opinion with reference to the thirteenth district is derived from hearsay?
Answer. I did not say that.
Question. You said that the district, in your opinion, could poll so many more votes. What reason have you for saying that?
Answer. My reason is that I did not think the inspectors took the votes as fast as they might have done.
Question. That fact would not prove, of necessity, that there were more voters in the district.
Answer. It would if there were parties ready to vote who could not do so.

Question. That is what I want to know, whether you were there and saw that such was the case.

Answer. I was not present.

Question. Could you give me the name of any party who did know that fact?

Answer. Not in that district; I did not vote in that district.

Re-examined by Mr. ANTHON:

Question. You voted in the eleventh district?

Answer. Yes, sir.

Question. What were the inspectors?

Answer. Two democrats and one republican, I believe.

HARRIS WINES, JR.

Attest: A. D. RUSSEL, *City Judge.*

Dennis Brennan recalled.

Examined by Mr. ANTHON:

Question. You are familiar with the voters of the fifteenth district, and Eighteenth Ward?

Answer. I know them all by appearance, and a good many by name.

Question. You have already testified that you have special facilities for knowing the voters in this district?

Answer. Yes, sir.

Question. Have you made inquiries for the residences of particular voters, at the request of Mr. Brooks?

Answer. Yes, sir; on Friday I went to a good many friends, and found that a good many of the persons I inquired for did live in the district.

Question. How much of Friday?

Answer. All the day and the evening; and I have been inquiring since.

Question. Does this paper, which is a copy of the one marked by Judge Brady, as Exhibit B, contain memoranda made by you at the time you made those inquiries?

Answer. Yes, sir.

Question. State what you know or heard in respect to any of the persons whose names are in that paper.

Answer. Lawrence Faulke should be Fagle. He is a man who lives at 301 Fourteenth street. James Jones is set down as an illegal voter, and I made particular inquiries from parties who reside in that neighborhood, and I was told that he lived in Fourteenth street, between avenues B and C, and was well known. On Friday night a gentleman by the name of Kerney, swore to the best of his belief that Patrick Hart resided on the other side of Fourteenth street, on the south side of the street, which would locate him in the Seventeenth ward. I made inquiry, and he resides in the house with Mr. Allen, 257 East Fourteenth street. I spoke with him there, in the house, on Friday morning; he boards there; he has boarded there for the last two years. I presume the man referred to by Mr. Kerney is Philip Hart, who works on the opposite side, and is a manure man. He is a voter also in this district. James Giveney lives at 307 East Sixteenth street instead of Fourteenth street, same number, and is a voter. Jacob Weivil is 504 East Fifteenth street, on the paper marked as Exhibit B. It should be 244 avenue A. He keeps a lager-beer saloon.

Question. Is he a well known person in the district?

Answer. Yes, sir; he is a voter. The name spelled Henry Welsch should be Henry Weaver. He lives at 254 East Fifteenth street; I think he is a voter.

Of Thomas Conway, 263 East Fifteenth street, Exhibit B says "No dwelling; vacant lot." The man's name should be Patrick Conway; he lives at 260; he is a stone cutter and lives one flight of stairs up, above a grocery store, and has lived there for years; he is a man well known. Charles Boylan, 255 East Fifteenth street, I think is a voter. He has been on the stand himself as a witness, and proved satisfactorily. Arthur Monagan, a man well known around here, lives in Sixteenth street, No. 650. He is set down in the list (Exhibit B) as living in Fifteenth street, same number; he is a voter in the district. That paper says "probably the ghost of a former squatter"; he is a fine, hearty man. John Yancey, 253 East Fifteenth street, should be John Yancer; he lives here next door to this house. Of John McRatck, 251 East Fifteenth street, Exhibit B says "Mr. Kelly, the landlord, never heard of such a man." The man's name is John McPake; he lives in the same house. James McCarmand proves to be James McLarney, whom I have known for the last ten years, and also his two sons. The next one I come to is set down as Bartho Buffely, 249 East Fifteenth street. The list says "Mary Miner and others in the house never heard of him." This man's name is Matthew Butterly, and he resides in the same house.

Question. He lived there at the time of the election, and was a voter?

Answer. Yes, sir.

Question. You do not think it is surprising they answered that Buffely did not live there?

Answer. Of course not; his name is Matthew, and he is commonly called Mat. The next one is James Duffy, 258 East Fifteenth street. The list says "Charlotte McHugh was not afraid to give her testimony that no John Duffy was there." The name is James Duffy, and he lives in Sixteenth street, between avenues B and C; his family reside there at the present time. On election day I remember an occurrence well. He asked me (as I was one of the inspectors of the election) if I would not please to hurry up, as I knew his brother. I have known his brother, Thomas Duffy, 543 East Sixteenth street, six or seven years. He moved to Fordham to work for Mr. Tilton, and comes home every Saturday night; his family reside here yet; I know him to be a legal voter, as he has voted on other occasions. John Frey, should be Fay; he keeps a liquor store in Fourteenth street. Joseph Alcoln, 249 East Fifteenth street; he lives there and works in a foundry; he is known in the neighborhood as "Little Joe." He has been on the stand himself. The next man is Thomas Clonan, 257 East Fifteenth street. He lives in avenue B, near Fifteenth street, opposite this house. William Kain, 259 East Fifteenth street, lives in Fifteenth street, nearly opposite Murphy's stables. Patrick Gilligan, 273 East Sixteenth street, set down as not being found, works in the Novelty Yard and lives in Fourteenth street, in one of the houses known as the Castle—No. 257—near the Catholic church. William Hubert, who has been inquired for and could not be found at 551 East Sixteenth street, is known as Hubbard, and resides in Fifteenth street, at the same number. He is a voter. Andrew Carty, 551 East Sixteenth street, I inquired for, and was informed that he resides at the corner of avenue B and Sixteenth street. Patrick McKeon, 251 East Sixteenth street, resides in Sixteenth street, and is in the manure business, and is well known in the neighborhood. James Gallagher, 547 East Sixteenth street, resides there. I have been informed he is a republican. James Kasen, 547 East Sixteenth street, should be James Cusick. The next I come to are John Hagan, 545 East Sixteenth street; Thomas Dugan, and Mortimer O'Conner, also at 545 East Sixteenth street. The list says these three men can't be found there. These men are boarders. A man who resides in this neighborhood informed me that they boarded there with a Mrs. O'Connell, or Mrs. Connelly. Thomas Hogan, 543 East Sixteenth street, resides there. He boards there, and is a voter. Edward Birmingham, 535 East Sixteenth street. The list (Exhibit B) says "not there." This man boarded there, and was in town one day last week.

He is a returned soldier, and a stone-cutter by trade, and worked in this neighborhood for a number of years, and is well known here. James Zines, or Ziner, 517 East Sixteenth street, should be James Hines. He lives at that place and owns the house. John Zeigler, 505 East Sixteenth street. This man's name is Zeiter. He is in the night-soil business, and lives at that place. Patrick Never, 612 East Sixteenth street, the list says does not live there. He does live there. His name is McNeven, instead of Never. He lives at the corner of Sixteenth street and avenue B. He is a soldier; and I inquired there, and the parties told me he was at the polls all day and hurrahed for McClellan. John McNally, 650 East Sixteenth street, should be James McNally, at the same place. John Bowan, 526 East Sixteenth street, should be James Bowan, 260 East Fifteenth street. Philip McDermot, 516 East Sixteenth street; the list says, "no trace of him, on careful inquiry." This man lives in Fifteenth street and owns real estate there, and is known by every one from there up to Twenty-third street. Patrick Walling, 514 East Sixteenth street, should be Patrick Fanning; he lives there. Francis Cussick, 210 East Sixteenth street. This man is well known, and goes by the name of "Big Frank;" he is a stage-driver, and lives in a feed store between avenues B and C, in Sixteenth street. James Colders, 524 East Sixteenth street. Exhibit B says, "He does not live there; did live there previous to November, 1864." This man does live there, and his reason for answering that he did not was that he was afraid of the draft. Francis Ward, 646 East Sixteenth street, should be Fifteenth street, between avenues A and B; he lives in Wm. Kelley's house. John Homeline, 512 East Sixteenth street. This name should be Haulian; he has gone to Washington, and has a position in the Post Office Department, I believe, since the election. Thomas Dempsey, 511 East Seventeenth street. This man's residence should be in Sixteenth street; he drives a horse and cart, keeps a small grocery store, and is a voter of the district, and was drafted, too, I believe. Francis McNiff, 229 East Seventeenth street; the list says, "same as last;" which is, "not there." This man is to be found; he lives on the south side of Seventeenth street, and most everybody knows him; I saw him there on Friday last. Thomas Hastings, avenue C, between Fifteenth and Sixteenth streets; he owns a house down there, and lives in it. Andrew Finin, 241 avenue B, is a stage driver, and lives in Thomas Kelley's house, in Fifteenth street. Thomas Henry, 243 avenue B. The man that was proved to be dead, I think, is another man. This one works in the Novelty Works, and lives in avenue B, in the district; he lives over Fogarty's grocery store, and votes. Charles Bosdis, 245 avenue B. It should be 214 avenue A. Thomas Igo, 203 avenue B, which is not in the district. This man has been here himself, and proved that he lives in the district. Bernard Callihan, 251 avenue B, lives in Fifteenth street, opposite Murphy's stables. James Nalley, 273 avenue B; I failed to find his residence; am informed that he drives a horse and cart for Mr. Davis, in Sixteenth street, and stables in a place around here, and I suppose resides in it. Hugh Ruston, 266 avenue B, I have known for a long time; he resides here in the neighborhood, and I understand he is now on the Metropolitan police; he lives in the district. Daniel Dailey, 266 avenue B. I made inquiry for this man, and was informed his name was Dennis, and he lives at 549 East Sixteenth street; he voted. John Besstick, 242 avenue B. The list says, "No house on lot 242." This man is nicknamed "Clubfoot," and is well known. He lives at 256 East Fifteenth street. John Reilley, 254 avenue B. This man drives a coal cart for a coal dealer in Sixteenth street, and resides in this (fifteenth) district. Owen McCarty, 266 avenue B. I understand he resides there and that he is a conductor on the Belt line of railroad cars. Thomas Finnerland, 281 avenue B, should be Finnely. He resides in Sixteenth street, in the district. Hugh McKeon, 240 avenue B. Have been informed that he resides in Seventeenth

street, and also that he is a voter and voted at the November election. Frederick Geis, 236 avenue B; a German that has resided a long time here, told me that his name was Francis. He keeps a flour store on avenue A. Thomas Webb, 246 avenue B. In reference to this man I would state that previous to the time I was about here he took a store below M. Thompson's, and I saw father and son at their meat store. He was a returned soldier. They resided there at the election, but have moved away since. I saw the son, who was a returned soldier, at the poll that day. Michael Appalerty, 236 avenue A, should be Rafferty. He lives there and is a voter in the district. I inquired of a German about Patrick Dengler, 224 avenue A. He told me his name was Frederick, and that he was a strong republican and voted election day. Gustavus S. Goetz, the same party told me, moved away from 214 avenue A. There has been a man at that place of that name. Some of the numbers of the residences in that list are not correct.

Question. What is the ordinary correctness of poll clerks in taking down names and residences?

Answer. I find that John Allen, a man whom I have known for years, who gave his name Allen, is set down as Callen.

Question. How have you found poll clerks as regards care?

Answer. I have found it always necessary to give the name more than once; and I would further state that it is customary on election day for one of the clerks to leave the polls for two or three hours at a time, and the other clerk does duty, and when the first returns he copies the names off in a great hurry.

Question. There is no check on this additional chance of error?

Answer. No, sir.

Question. Have you ever heard of persons who voted more than once for Mr. Dodge?

Answer. I have, sir. I would state that on Friday last I was taking great interest in this affair, and I stepped into a lager-beer saloon—

Question. What lager-beer saloon?

Answer. In avenue A. I sat down there and felt rather fatigued from travelling round so much on Friday. While sitting at the table two men came in and got in close conversation. It is customary among Irish people, if two or three are together and also one outside, that they have a "smile" together. These parties asked me if I would try a glass of lager. I said yes. The conversation still continued. One asked the other, "Have you heard how things go to-day." Then, thinking that it might have some bearing on this contest, I asked if they had heard anything on the contested election between Dodge and Brooks, and they said yes. One of them remarked at the time that he had voted two or three times in the first, second, and third districts. I looked at the man, knowing that they were Irish by their actions, and said to them, I suppose you left your vote for Mr. Dodge? He said he did so, for a friend. The other said he understood there was a good deal of Mr. Dodge's money around on election day, and that was the cause of it.

Question. Who did they say they voted for?

Answer. Mr. Dodge.

Question. Did they mention in what ward?

Answer. Eighteenth. I was so particular about it that I put it down on a bit of paper.

Question. Did you get their names?

Answer. I pulled out a piece of paper to make a memorandum, and they refused to give me their names; I knew one man, named McLoughlin; I asked them if it was not a shame, and they said it was a damned outrage to rush it too much. I would further state that in travelling around I have often heard of this man Hargin, who has been spoken of so much as an inspector, who stated that he was to receive a position after election; that he was going to use his "dander" for right or wrong, to carry things.

Cross-examined by Mr. PHELPS:

Question. Who told you that Mr. Hargin said this?

Answer. A party, sir.

Question. Who was the party?

Answer. The name I disremember.

Question. Can you recall the name of the party?

Answer. I suppose I might.

Question. I wish you would think for a few minutes.

Answer. I can't recall the name.

Question. Did you know the party personally?

Answer. I did, sir, at the time.

Question. Where does he live?

Answer. Well, if I knew his name I could tell, and have no trouble in telling the name.

Question. You know neither the name nor the residence?

Answer. I knew him at the time.

Question Had you ever before seen either of these two men you met at the saloon?

Answer. Neither.

Question. So, of course, you can't tell the name of either, or his residence?

Answer. One told me his name was McLoughlin.

Question. Did you hear the Christian name of McLoughlin?

Answer. I did not.

Question. And they both stated they had voted?

Answer. They both stated they had voted, and stated they had voted before at elections for money.

Question. You suppose that John Callan is meant for John Allen because you found him at 257 East Fourteenth street?

Answer. Yes, sir, from living in that particular neighborhood, and finding no other one living in the house.

Question. Do you mean to say that there is no Patrick Hart, who lives on the opposite side of Fourteenth street?

Answer. I mean to say that Patrick Hart resides in Fourteenth street; it might be on the other side, but it is the supposition that there is no Patrick Hart on that side.

Question. Do you know whether Philip Hart is married?

Answer. Don't know; rather think not.

Question. Do you know either of these Harts personally?

Answer. I do not. I inquired of the folks living in the house for Patrick Hart, and they told me that he resided there.

Question. Did you inquire for Lawrence Faulke at 501 East Fourteenth street?

Answer. From a German, Philip Shea, who said he resided where he stated; he has resided in the district some time and is a voter.

Question. What number did you find Faulke in?

Answer. It should be Fagle. It should be 301 or 307. I did not find him there, but have been informed so.

Question. Did they say Fagle's first name was Lawrence?

Answer. They said there was a Lawrence Fagle there.

Question. Who was your informant with reference to it?

Answer. A German, Philip Shey. (The proper mode of spelling it is Scheu.)

Question. You did not go there to inquire?

Answer. I went to the neighborhood.

Question. Did you go into the house?

Answer. No, sir; but from the fact of this man knowing them for a number of years I state the evidence.

Question. Did you inquire for James Jones at 201 East Fourteenth street?

Answer. I inquired for him corner of avenue B and Fourteenth street, and was informed by parties living around there that he resided there.

Question. Did they give the number of the street in which he lived?

Answer. They did not. They gave the block. Any man living on the north side of Fourteenth street should be in the district.

Question. Can you give me the names of those who informed you of Mr. Jones's place of residence?

Answer. Only by the names of Fagan and Grant Acker?

Question. You cannot give the numbers?

Answer. No, sir.

Question. They simply told you there was a voter by that name?

Answer. And that he resided down in that block.

Question. Did you ask for Mr. Giveney, 307 East Fourteenth street?

Answer. I called at avenue A, and was informed by a man that he lives in the street with him; that he resided there instead of Fourteenth street. I was informed by a voter in the district.

Question. Did he tell you what number in the district?

Answer. I disremember. I think it is the same number; I am not positive as to that.

Question. You did not call to see?

Answer. No, sir.

Question. Did you inquire for Henry Welsch at 254 East Fifteenth street?

Answer. I inquired of Philip Shey, a German, who lives there, and who knows all these men. He tells me his name is Weaver, and he lives there.

Question. Does Mr. Giveney live over Patrick Mervine's store?

Answer. I don't think he said he lived over a store.

Question. Can you tell me if he lives over that store?

Answer. No, sir.

Question. What reason had your German informant for thinking that Henry Welsch was Henry Weaver?

Answer. Because he is a man who is known to every resident around there, and is a man who is amongst the people, and takes great interest in the election, and was down all day, from morning till night.

Question. Then, if he did not know that that Henry Welsch did not live in the district, he was in the district?

Answer. I don't know that his name is spelt properly with *c*; it's *s*.

Question. Would it make a difference in pronunciation?

Answer. It would amongst the Irish people; it would be either Walsh or Welsh.

Question. Did you inquire for Thomas Conway at 263 East Fifteenth street?

Answer. Yes, sir, and found it was Patrick Conway.

Question. Why did you think so?

Answer. I have been informed that Thomas Conway lives there, and I know Patrick Conway, who keeps store there.

Question. Did you inquire for Arthur Monagan at 650 East Fifteenth street?

Answer. I have known him residing around here for a dozen years.

Question. Can you give the number of his residence?

Answer. I think 665 East Sixteenth street.

Question. Then no Arthur Monagan resides at 650 East Fifteenth street?

Answer. I suppose not.

Question. Then, if he did reside there, he would not be a legal voter?

Answer. There is no such person there known to anybody.

Question. Did you inquire for James Duffy at 258 East Fifteenth street?

Answer. I have known him; he resides in Sixteenth street. I have known him for years, and have seen him vote on election day.

Question. Do you know a man by the name of John Frey, who lives at 241 East Sixteenth street?

Answer. The only one of that name I know is John Fay, who lives corner of Fourteenth street and avenue B.

Question. The man Kain, does he live at 259 East Sixteenth street?

Answer. He lives in Fifteenth street.

Question. Do you know William Kain, who lives in Sixteenth street?

Answer. I made inquiries of parties who live around here, and they told me no other Kain lived around here except this one.

Question. Did they give you the number of Kain who resides in Fifteenth street?

Answer. Yes, sir; I could not give the place—persons are not known so much from number as from location in this neighborhood.

Question. Then you found the number?

Answer. No, sir.

Question. This man Hubbard, did you find him in Fifteenth street?

Answer. I went there, and was informed that a man lived there by the name of Hubbard.

Question. Does Andrew Carty live at 551 East Sixteenth street?

Answer. I am informed he lives corner of Sixteenth street and avenue B.

Question. Is No. 551 corner of Sixteenth street and avenue B?

Answer. Can't tell you; I think he lives in the avenue.

Question. Who informed you that Carty lived there?

Answer. A man who worked with him.

Question. Did you go to the house?

Answer. I came across a man who worked with Carty; I made inquiries and he told me he worked with the man there.

Question. Where were you informed that Mr. Gallagher lived?

Answer. At 547 East Sixteenth street, and that he really lived there, and was a strong republican. He was one who denied his name and residence.

Question. Who gave you this information?

Answer. The parties who live in the neighborhood.

Question. Can you give me the names of any?

Answer. There are places where I called into stores, and the names will slip my memory unless I make a note of them.

Question. Did you call at Mr. Gallagher's yourself?

Answer. No, sir; I went in the neighborhood and made inquiries.

Question. Why did you not inquire at Gallagher's?

Answer. I found I had too much labor to accomplish. I consider that a man who has worked with a person can give more information than if I went into a house, because they would not give this information at their house.

Question. At 545 East Sixteenth street, did you inquire there?

Answer. I went to a man who resides on the block, or the next block, and he tells me all these three parties boarded there, and they are not householders.

Question. Why would it not have been as easy to go there, as you could find the three at once?

Answer. Because I would not get any information at all, as I would be kicked down stairs, and that would serve me right.

Question. Between what avenues is 545 East Sixteenth street?

Answer. 545 is between avenues B and C, I think.

Question. Does James Kasen live at 547 East Sixteenth street?

Answer. Cusick, I think I have stated. I find Kasen on the list when it should be Cusick.

Question. James Cusick lives at that same number?

Answer. Yes, sir.

Question. Did you inquire there yourself?

Answer. I inquired in the neighborhood and found out from disinterested parties that he lived there.

Question. Did you not go to any of the houses yourself?

Answer. No, sir, not into the houses, because I could not get the information of any body there.

Question. Did Thomas Hogan live at 543 East Sixteenth street?

Answer. I have been informed he lives there and voted. He boarded with a woman there. He is not a householder.

Question. Did you know the name of your informant in this case?

Answer. I do, sir. He is a man who resides in the district, and is a voter.

Question. What is his name?

Answer. I do not wish to say.

Question. What objection have you?

Answer. I do not like to fetch third parties into this, because a great many men do not like to have their names known, and it might be disagreeable.

Question. You could give me the name.

Answer. Yes, sir.

Question. Does Edward Birmingham reside at 535 East Sixteenth street?

Answer. I understand that he does. A man gave me his name, and he works in a stone yard.

Question. Are you willing to give the name of your informant?

Answer. No, sir.

Question. Did you find John Zeigler at 505 East Sixteenth street?

Answer. No, sir; it is Zeiter.

Question. Did you find Patrick Nevin at 612 East Sixteenth street?

Answer. No, sir; his name should be Patrick McNevin.

Question. Supposing his name was misspelled?

Answer. There is no such resident in that house. The only name is McNevin, and the party says he is a soldier.

Question. How do you know this man was a soldier?

Answer. Have been informed so. He is a man that was round the polls all the day. These parties told me so. He was known to everybody, and they wondered I did not see him myself there.

Question. But Nevin didn't live at that number?

Answer. No, sir.

Question. Did John McNally live at 650, East Sixteenth street?

Answer. They say his name is James. There is no John there.

Question. Where did they say James McNally lived?

Answer. At avenue B and Sixteenth street; down in that neighborhood.

Question. They didn't give you the number.

Answer. No, sir.

Question. Does he keep house, or is he a boarder?

Answer. I think he is a married man; can't swear to that.

Question. Do you know if he lives with his mother?

Answer. Can't state the fact.

Question. Do you know him personally?

Answer. I do not; I believe I am informed he is a married man, and drives a stage.

Question. Does Philip McDermot live at 516 East Sixteenth street?

Answer. He lives in Fifteenth street, and he has been on the stand himself, and proved his residence.

Question. Does Michael Somers live at 516 East Sixteenth street?

Answer. I went there and found no such party was living there as Somers; he used to live in Sixteenth street near First avenue, between First avenue and avenue A. I believe that would be out of the district.

Question. There was no Somers at all at 516 East Sixteenth street?

Answer. Did not hear of any.

Question. At 516 East Sixteenth street, did you find Patrick Walling?

Answer. I stated this name was told me as Fanning, and he resides there.

Question. Where does Fanning live?

Answer. I did not search. I would correct my evidence since I have been n the room; I am now aware that his name is Wayland.

Question. Do you know where Mr. Wayland lives?

Answer. I have given the residence, I think, before. What is intended for Walling should be Wayland; Walling does not live there. Mr. Wayland is the only man in the house of that sound.

Question. What is the Christian name?

Answer. I have lost sight of it; I think it is Patrick.

Question. If the name is Wayland, all you know of it is what you have heard to night; that it is Wayland?

Answer. It is Patrick; I have been informed by the man who lives in the next house to him.

Question. Do you know Patrick Wayland is not dead?

Answer. I know he is not dead.

Question. Does James Calders live at 524 East Sixteenth street?

Answer. 514 I think it is, sir.

Question. How do you know?

Answer. I have been informed.

Question. Did any one in that house tell you so?

Answer. A man in the same block told me so.

Question. Not a man in the same house?

Answer. No, sir.

Question. Does Thomas Dempsey live at 511 East Seventeenth street?

Answer. The man keeps a grocery store in Sixteenth street, in this district.

Question. Are you sure his first name is Thomas?

Answer. So I understand.

Question. Are you sure Thomas Dempsey lives in Sixteenth street?

Answer. I am pretty certain.

Question. Does any Francis McNiff live at 229 East Seventeenth street.

Answer. In the neighborhood; I think he lives on this side of Seventeenth street.

Question. Do you remember seeing Mr. McNiff at what you suppose that number?

Answer. Within two or three doors in the same block.

Question. You are sure McNiff does not live between First avenue and avenue A?

Answer. He never lived there; I think he resides further down towards the river.

Question. Andrew Finin, does he live at 241 avenue B?

Answer. In William Kelly's house in Fifteenth street; he is a stage driver.

Question. Did you inquire at 243 avenue B, for Thomas Henry?

Answer. I inquired of parties who live in that neighborhood.

Question. That was the one that was alive, and the parties in the house said he died of typhus fever.

Answer. I know a man of the name of Henry to be dead; I think his name was James; I know he is dead.

Question. Do you know where he resided?

Answer. Some where in the Eighteenth ward; could not tell exactly

Question. Does Bernard Callihan live at 251 avenue B?

Answer. No, sir; in Fifteenth street, around from this house.

Question. Bernard Callihan, who lives in avenue B?

Answer. No, sir.

Question. Did any Hugh Ruston live at 266 avenue B?

Answer. No, sir.

Question. Did any Daniel Dailey live at 266 avenue B?

Answer. Have been informed his name is Dennis, and he lives in Sixteenth street, and voted at the election in this district.

Question. Why does your informant suppose that he voted from 266 avenue B?

Answer Because he is acquainted with every man, and knows all by name.

Question. Does John Besstick live at 262 avenue B?

Answer. No, sir; in Fifteenth street; I am not sure. They call him Club-foot.

Question. Does John Reilley live at 254 avenue B?

Answer. In Sixteenth street, I think he resides, and carts from Heckschar's coal yard; have been informed his name is John, and that he voted here at last election.

Question. Does Owen McCarty live in avenue B?

Answer. Yes, sir; so I have been informed.

Question. You did not go to McCarty's house?

Answer. No, sir.

Question. Does Thomas Finnely live at 281 avenue B?

Answer. No, sir; in Sixteenth street, next to Trainor's feed store.

Question. Does Hugh McKeon live at 240 avenue B?

Answer. In Seventeenth street, near avenue B.

Question. Whereabouts is that feed store where Finnely lives?

Answer. Between avenues B and A, I think.

Question. Are you sure?

Answer. It is in Sixteenth street, between avenues B and A. I would state it is about one hundred feet from this avenue here.

Question. Does Patrick Geis live at 236 avenue B?

Answer. Amhold, a German resident, tells me he keeps a flour store corner avenue A and Sixteenth street.

Question. Do you know how long he has kept there?

Answer. I have seen it there a number of years; it is presumed a business man would not come to the polls without being entitled to vote.

Question. Did any Thomas Webb live at 266 avenue B?

Answer. A man of that name, a couple of doors from this house, kept a meat shop.

Question. Would that be No. 266?

Answer. I should think it would. I remember seeing some of these men vote on election day.

Question. You say there is a Frederick Dengler in the district—where does he live—or Frederick, some other name looking like Dengler?

Answer. He resides at 224 avenue A. It should be Frederick. It is in the list as Patrick.

Question. Does Frederick Dengler live at 224 avenue B?

Answer. Yes, sir.

Question. Do you know that on the poll-list there is a Frederick Dengler living at 224 avenue A?

Answer. I have not seen a copy of the poll-list. There is one more, Patrick Gough, it should be McGowan, 530 East Sixteenth street. He was here this evening. He attended the board of registers, and did not leave until it was night, and it was found it was Gough, or some other name, instead of McGowan.

Question. You went to some of the alleged places of residence?

Answer. I went in the neighborhood and among some of the parties they worked with.

Question. Did you really go into the residences of any of the informants?

Answer. Yes, sir.

Question. Did you find any hesitancy from the parties to whom you applied from the fear of giving names for the draft?

Answer. Yes, sir. They did not want me to state their names.

Question. Did they ask you what you wanted the information for?

Answer. I told them.

Question. That is the reason you did not give their names?

Answer. Yes, sir; only one German's name.

Question. Did you promise you would not indicate the names?

Answer. Yes, sir.

Question. Did you inquire for other parties than those whose names you have given?

Answer. I have given the list of Mr. Scheu.

Question. Did you not inquire for any other than these Irish names?

Answer. I tried to find every one who voted on election day.

Question. You have not got the list of those you could not find?

Answer. I have not, sir.

DENNIS BRENNAN.

Attest: A. D. RUSSEL, *City Judge.*

James Kearney sworn.

Examined by Mr. WATERBURY.

Question. Where do you reside?

Answer. 226 West Thirtieth street, eighth congressional district.

Question. Have you examined the original poll-list of the third district, Twenty-first ward, for the election in November last, for the purpose of ascertaining how many persons' names are upon it who voted one or more other tickets, but voted no Congress ticket?

Answer. I have.

Question. How many such persons did you find upon that poll-list?

Answer. I counted some forty-one.

Question. Did you ascertain by that poll-list whether Louis Patterson voted a Congress ticket or not?

Answer. I did.

Question. Did you look to see whether the name of Louis Patterson was or was not on that poll-list more than once?

Answer. I did.

Question. Did you find it more than once?

Answer. I did not.

Question. Did you ascertain whether Levi Hayden voted a Congress ticket or not?

Answer. I did.

Question. Did you ascertain whether Edward Boylan's name was on the poll-list or not?

Answer. I did.

Question. Is his name upon the poll-list?

Answer. Edward Boylan is not on the poll-list.

Question. J. L. Hoyne?

Answer. I did not find it.

Question. J. Lichtenstein?

Answer. I did not find it.

Question. Charles Miller?

Answer. I did not find it.

Question. Did Levi Hayden vote the Congress ticket?

Answer. He did not.

Question. Was the name of Levi Hayden upon the poll-list more than once

Answer. It was not.

Question. Did you examine the original poll-list of the second district, Twenty-first ward, for the election in November last to ascertain whether certain persons whose names are upon that list voted or did not vote the Congress ticket?

Answer. I did.

Question. Which of the persons, out of a list of sixty I gave you, whose names you found on that poll list, did not vote a Congress ticket?

Answer. Philip Bolander, 114 East Twenty-ninth street; William Belden, 130 East Twenty-ninth street; O. Carr, 142 East Twenty-ninth street; William Cochran, 138 East Twenty-ninth street; L. Dungstadter, 116 East Twenty-ninth street; James Finnin, 522 Second avenue; William Flanigan, 140 East Twenty-ninth street; Peter Gilligan, 111 East Twenty-eighth street; John Gorman, 111 East Twenty-eighth street; August Holstein, 116 East Twenty-ninth street; Daniel Kelly, 515 Second avenue; James Neil, 127 East Twenty-ninth street; Simon Urig, 137 East Twenty-ninth street, and John Webster, 525 Second avenue.

Question. You found they did not vote for Congress?

Answer. They did not.

Question. Did you have time to complete the examination of the poll-list in respect to all the names on the list that I gave you?

Answer. I did not.

Question. You were only able to look at part?

Answer. Yes, sir.

Question. Did you make out a list of all the persons whose names are upon the poll-list of the fifteenth district, Eighteenth ward, and which are not included in the paprr which I now show to you, produced by Mr. Dodge before judge Brady, and marked by him as Exhibit B?

Answer. I did.

Question. Please produce the list you made.

Answer. This is it.

(The counsel for Mr. Brooks puts in evidence paper marked as Exhibit 15.)

Question. So that between the paper which I showed you, marked as Exhibit B. and the paper produced by you, and marked No. 15, the whole poll-list of the fifteenth district, Eighteenth ward is included?

Answer. Yes, sir; that paper contains all the names of the poll-list.

Question. So that the two contain all, do they not?

Answer. Yes, sir.

Question. With the exception, I suppose, of some variations, which you can state in regard to the spelling of the names and the residences?

Question. Does the paper I now hand to you show the variations between the names and residences contained in a paper marked by Judge Brady as Exhibit B, which I showed you a minute ago, and the poll-list of that district in respect to the names included in the paper marked as Exhibit B?

Answer. I believe that is not the paper that I had, there are one or two items which do not agree.

Question. State the differences.

Answer. Francis Heig or Theg, 208½ avenue A, is not on the poll-list; I believe that is the only error in the list you just handed to me.

Question. Then I understand you to say that except the name of Francis Heig, this paper shows the variations between the paper marked by Judge Brady as Exhibit B, and the poll-list, in respect to the names included in that paper?

Answer. Yes, sir.

(The counsel for Mr. Brooks puts in evidence a paper marked as exhibit 16.)

Question. Is this paper I now show to you a correct map of the third and seventh election districts of the Twenty-first ward, showing the corner numbers, so far as it purports to exhibit them, or the numbers of the houses nearest to the corner, where there are no houses at the corner?

Answer. Yes, sir.

Question. Was this map made by you?

Answer. Yes, sir.

(The counsel for Mr. Brooks puts in evidence a paper marked Exhibit 17.)

Question. In regard to the fifteenth district, Eighteenth ward, can you state the manner in which the variations from the poll-list of a considerable portion of the residences stated in that paper (Exhibit B) occurred? How did you find, in examining the poll-list, that they occurred?

Answer. I copied the poll-list, took off the names alphabetically, and then compared them with this paper, marked by Judge Brady as exhibit B, and then I made a memorandum of the variations between the poll-list and the paper marked as Exhibit B

Question. How did you find the variations were occasioned?

Answer. By comparing.

Question. In what manner were the residences opposite the different names taken?

Answer. I believe there were two pages from which the residence opposite the next preceding name on the poll-list was copied into this paper, marked as Exhibit B, instead of the residence on the same line with the name. That is to say, instead of taking the residence opposite the name of the voter, the copyist took the residence opposite the name of the next preceding voter.

Question. So that the paper marked as Exhibit B gives wrong residences to every name taken from those two pages?

Answer. Yes, sir; I did not notice the number of pages, but my impression is there were two.

Cross-examined by Mr. PHELPS:

Question. Are you sure you compared the poll-list with the paper marked by Judge Brady as Exhibit B, and not with the copy of that exhibit?

Answer. The copy I had I compared with the original marked by Judge Brady.

Question. That is the way you did?

Answer. Yes. sir.

Question. Did you compare the poll-list with the copy of the exhibit, and then the copy with the exhibit?

Answer. Yes, sir.

Question. Did you yourself compare the copy of the exhibit with the exhibit itself, all through?

Answer. I had my son to assist me.

JAMES KEARNEY.

Attest: A. D. RUSSEL, *City Judge.*

It being now 12 o'clock, midnight, the counsel for Mr. Dodge claimed that the time allowed by the statute for introducing testimony had expired, and that no further testimony could be taken.

Counsel for Mr. Brooks insisted that he should be allowed to call and examine Charles W. Baker, John M. Tracy, and other witnesses, of whose examination

due notice had been given—Mr. Tracy to prove that Mr. Geoghegan voted and worked for Mr. Barr, and not for Mr. Brooks; and Mr. Baker to testify in regard to the soldiers' votes testified to by Mr. Walker, and the other witnesses upon other points.

Counsel for Mr. Brooks stated that the examination did not begin until eight o'clock, because Mr. Dodge and his counsel, Mr. Phelps, were not present at half past seven, the time at which the examination was to commence.

The judge decided that he had no power to take further testimony, and closed the examination.

A. D. RUSSEL, *City Judge.*

EXHIBIT No. 1.

EIGHTEENTH WARD.

For canvassers to record the vote, November 8, 1864.

Eighteenth Ward.	McClellan.	Lincoln.	Total.	Congress.—Police returns.				Congress.		
				Barr.	Brooks.	Dodge.	Total.	Barr.	Brooks.	Dodge.
1st district	214	356	570	54	138	362	554	Differences super-		
2d district	346	48	394	70	199	462	731	visors.		
3d district	287	488	775	60	192	508	760	62	192	511
4th district	124	178	302	34	76	187	297	.....	.....	.....
5th district	154	176	330	33	108	185	326	.....	.....	.....
6th district	355	206	561	69	261	210	540	.....	.....	.....
7th district	290	181	471	39	221	187	447	.....	.....	.....
8th district	200	87	287	72	111	91	274	.....	.....	.....
9th district	248	158	406	77	159	157	393	77	159	158
10th district	306	68	374	98	188	69	355	.....	.....	.....
11th district	317	154	471	74	243	144	461	.....	.....	.....
12th district	346	46	392	122	200	40	362	124	201	40
13th district	488	34	522	138	313	36	487	.....	.....	.....
14th district	318	36	354	100	200	36	336	.....	.....	.....
15th district	411	58	469	167	220	56	443	168	221	57
	4,404	2,274	6,678	1,207	2,829	2,730	6,766	.....	.....	.....

EXHIBIT No. 2.

TWENTIETH WARD.

For canvassers to record the vote, November 8, 1864.

Twentieth Ward.	McClellan.	Lincoln.	Total.	Congress.				Congress.		
				Barr.	Brooks.	Dodge.	Total.	Barr.	Brooks.	Dodge.
1st district	440	83	523	126	281	82	489	Differences supervisors.		
2d district	303	189	492	163	118	191	472			
3d district	588	273	861	241	315	284	840	.....	.....	.....
4th district	360	173	533	114	223	182	519	114	221	182
5th district	506	101	607	110	376	95	581	.....	.....	.....
6th district	245	328	573	53	182	324	559	.....	.....	.....
7th district	224	321	545	73	123	321	517	74	125	321
8th district	419	164	583	86	303	158	547	.....	.....	.....
9th district	474	170	644	123	326	164	613	.....	.....	.....
10th district	367	169	536	170	173	169	512	.....	.....	.....
11th district	507	224	731	200	291	221	712	201	292	221
12th district	336	186	522	134	183	185	502	.....	.....	.....
13th district	357	182	539	120	222	174	516	.....	.....	.....
14th district	427	311	738	109	272	322	703	109	272	323
	5,553	2,874	8,427	1,822	3,388	2,872	8,082	.....	.....	.....

EXHIBIT No. 3.

TWENTY-FIRST WARD.

For canvassers to record the vote, November 8, 1864.

Twenty-first Ward.	McClellan.	Lincoln.	Total.	Congress.				Congress.		
				Barr.	Brooks.	Dodge.	Total.	Barr.	Brooks.	Dodge.
1st district	310	159	469	133	162	157	452	Differences allowed by supervisors. Contested.		
2d district	426	127	553	140	250	133	523			
3d district	414	164	578	206	188	137	531			
4th district	446	141	587	252	154	144	550	.....	.....	.....
5th district	437	125	775	230	178	127	535	231	178	127
6th district	278	84	362	105	158	87	350	.....	.....	.....
7th district	334	66	400	58	160	71	289	158	160	71
8th district	145	185	330	67	98	197	362	27	98	197
9th district	255	205	460	89	143	216	448	.....	.....	.....
10th district	309	238	547	53	230	242	525	.....	.....	.....
11th district	258	287	545	33	216	282	531	.....	.....	.....
12th district	204	290	494	28	155	310	493	.....	.....	.....
13th district	185	376	561	27	134	394	555	.....	.....	.....
14th district	176	320	496	26	135	330	491	.....	.....	.....
	4,027	3,070	7,097	1,447	2,361	2,827	6,635	.....	.....	.....

EXHIBIT No. 4.

The undersigned agree to contribute the sum set opposite their respective names to aid in the election of William E. Dodge, esq., to Congress from the 8th congressional district. And we will pay the amount so contributed to John H. Sherwood, William H. Lee, and Legrand B. Cannon, as finance committee.

Marshal O. Roberts, paid J. H. S	$1,000
Edward Learned, paid	250
A. W. Griswold, paid to J. H. S	100
Henry J. Stewart, Nov. 18, 1864, paid	250
H. & J. W. Coggill, paid W. C	100
John A. Livingston, (B. H & L. paid A. L.) paid	100
David Dowes, paid	100
Livermore, Clews & Co., paid	100
Morris Ketchum, paid J. H. S	100
Mr. Shiffilen, paid to J. H. S	50
Cortland Palmer, paid to J. H. S	50

EXHIBIT No. 5.

The friends of William E. Dodge, esq., take pleasure in contributing the amount set opposite their names to aid in his election to Congress. And we will pay said sum or amount to John H. Sherwood, William H. Lee, and Legrand B. Cannon, to be used for said purpose.

John H. Sherwood, 12 East 40 st., paid	$100
John J. Phelps, paid	100
Sackett, Belcher & Co., paid	100
Lee, Blin & Co., paid	100
George Biiss, paid	100
E. T. Tefft, paid	100
Lathrop & Ludington, paid	100
A. R. Eno, paid	100
I. & J. Stuart & Co., paid	100
Levi P. Morton, paid	100
D. Willis James, paid	100
Legrand B. Cannon, paid	100
J. N. Phelps, paid	100
Norman White, paid	100
Morris Ketchum, paid	100
Samuel B. Scheffelin, paid	100
O. D. F. Grant, paid	100
George R. D. Fant, paid	100
George Griswold, paid	100
W. W. DeForest, paid	100
David Hoadley and friend, paid	100
U. A. Murdoch, D. G. B. C., paid	100
E. D. Morgan, D. G. B. C., paid	200
A Friend	500

EXHIBIT No. 8.

STATE OF NEW YORK,
City and county of New York:

Jeremiah J. Kelly, of said city, being duly sworn, deposes and says: that his present employment is in connexion with certain oil enterprises in Pennsylvania; that he expects to leave the city and State of New York to-night for

Annapolis, Maryland, and thence to Pennsylvania; that he will be absent from this State for an indefinite period of time—at least thirty days, his present engagement being for at least that time; that he was a lieutenant in the 17th New York volunteers up to the month of August, 1864, and not afterwards, and left that regiment on that date; that he knows Patrick Smith, and that said Smith is a private in the 17th regiment New York veteran infantry, and is a person of grossly intemperate habits; that deponent never at any time made to said Smith the statement that he, deponent, had at any time procured any fraudulent votes to be polled in the eighth congressional district or elsewhere, and that no such statement was ever made by deponent in regard to the 17th regiment or any other.

This deponent further says that he never at any time obtained for any purpose any false, fraudulent, or illegal soldiers' votes of any kind whatsoever.

He further says that he had various conversations with said Smith, but that in none of them was any reference made to any votes or voting save once, when said Smith asked deponent how many soldiers' votes he, deponent, had caused to be forwarded from the 17th regiment, to which deponent answered, "Between sixty and seventy;" and deponent expressly states that such votes were *bona fide* votes of voters entitled to vote at the then pending election and not otherwise, and were polled, as deponent believes, at various places in the city of New York and throughout the entire State; that said Smith at the time of the conversation above referred to, being the only one at which the subject of votes was alluded to, was under the influence of intoxicating liquor, and if he have made any statement other or different from that of this affidavit he must have drunkenly misinterpreted the conversation above referred to, or been intoxicated at the time of the making of the affidavit; that no soldier's vote was ever sworn to before deponent, and deponent at the time was not an officer in the United States service, and had no power to administer such oath.

JEREMIAH J. KELLY.

Sworn to, this 21st day of March, 1865, before me.

JOHN R. BRADY,
Judge Common Pleas, New York.

EXHIBIT No. 9.

CITY AND COUNTY OF NEW YORK, *ss:*

I, William H. Hainer, of the city of New York, a letter-carrier therein, between Thirty-second and Forty-second streets, east of Third avenue, do hereby depose and swear that, between the 21st and 25th of March, one Russell Myers called me out of post office station F, where he had been talking with another letter-carrier, and said, "I want you to serve these letters," (handing me a number of envelopes without stamps,) when I said, "I cannot do this, as stamps are not put on them." He then bought the stamps and put them on the envelopes, and I undertook to deliver them in Thirty-ninth and Fortieth streets, among shanties on "Dutch Hill," so called; there being but one letter that had the number of the street on, which I delivered to the person to whom it was directed. Said Myers accompanied me to Thirty-ninth and Fortieth street, and said to me, "You need not be particular in inquiring for people; take the first no for an answer;" whereupon I went to an old woman among these shanties, who knew some of these persons, but did not know others. As the letters, so called, were only envelopes stamped and had nothing in them, I was not particular in my inquiries, and the less inquiry I made seemed best to satisfy Myers. I then returned the letters to him. I did not then know Myers's object in thus using me, but supposed I was bound to deliver these letters, because they were stamped when handed to me. I should have been more par-

ticular if the envelopes had anything in them. I could have found the residences of these people if I had taken the trouble; but Myers did not want me to take any trouble. and so I gave back the letters to him.

WM. H. HAINER.

Sworn to before me this 28th day of March, 1865.

A. D. RUSSEL, *City Judge.*

EXHIBIT No. 10.

MAYOR'S OFFICE, *City and County of New York, ss:*

C. Godfrey Gunther, being duly sworn, deposes and says that he resides at No. 145 East Fourteenth street in said city, and in the Eighteenth ward of said city; that deponent is now and was on the 8th day of November, 1864, mayor of the said city; that deponent, in company with James Lynch, esq., then sheriff of the city and county aforesaid, visited various districts on the river in that ward, on the said 8th day of November, and within the eighth congressional district of the State of New York; that deponent saw no riot or violence at any district in said ward, nor was any complaint made to him of any riot or violence on that day, nor was any complaint made of electors being prevented from voting by threats or violence. Deponent further says that the said election was one of the most orderly and quiet ever held in this city within the memory of this deponent. Deponent further says that he particularly remembers visiting the thirteenth and fifteenth election districts of the Eighteenth ward of said city on the day of the November election last, just before the closing of the polls, and that no acts of disorder or violence occurred at such districts, within the knowledge of this deponent, nor did he hear of the occurrence of any riot, disorder, or violence, at such election districts.

C. GODFREY GUNTHER, *Mayor.*

Sworn to before me this 31st day of March, 1865.

G. W. HINCHMAN,
Notary Public, State and City of New York.

EXHIBIT No. 11.

I, Henry Vandervoort, clerk of the court of general sessions of the peace in and for the city and county of New York, do certify that the annexed is a copy of an affidavit of complaint against Stephen Geogheghan, now on file in the clerk's office, and that the same has been compared by me with the original, and is a correct transcript therefrom, and of the whole of such original.

Given under my hand, and attested by the seal of the said court, this thirty-first day of March, in the year of our Lord one thousand eight hundred and sixty-five.

SEAL.]

HENRY VANDERVOORT.

(3 vol. R. S., 3 ed., § 74, p. 687.)

POLICE COURT, SECOND DISTRICT, *City and County of New York, ss:*

John R. Patterson, of Twenty-first precinct, being duly sworn, deposes and says that in the year 1863, the 14th day of May, at the city of New York, in the county of New York, John Mahan was violently assaulted and beaten by Stephen Geoghan, who acknowledges that while on his way home, and while going through the streets, he was assaulted by John Mahan and James O'Brien and others, with a knife and other dangerous and threatening weapons, and that in self-defence, he being in actual bodily fear, fired a pistol loaded with powder

and ball, and that one of the balls took effect in the side of said Mahan, thereby inflicting a wound; with felonious intent to take the life of deponent, or to do him bodily harm, and without any justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer for the above assault, &c., and be dealt with according to law.

JOHN R. PATTERSON.

Sworn to before me this 15th day of May, 1863.

JNO. QUACKENBUSH, *Police Justice.*

STATE OF NEW YORK, *City and County of New York, ss:*

John Mahon, of Second avenue and Thirty-fourth street, or 112 East Thirty-third street, being duly sworn, deposes and says that on the 14th day of May, in the year 1863, at the city of New York, in the county of New York, he was violently assaulted and beaten by Stephen Geogheghan, who fired a pistol loaded with powder and ball some five times, one shot of which struck deponent in the left side, with the felonious intent to take the life of deponent, or to do him bodily harm, and without any justification on the part of the said assailant.

Wherefore this deponent prays that the said assailant may be apprehended and bound to answer for the above assault, &c., and be dealt with according to law.

JOHN his × mark. MAHON.

Sworn before me this 27th day of May, 1863.

JNO. QUACKENBUSH, *Police Justice.*

CITY AND COUNTY OF NEW YORK, *ss:*

Stephen Geoghegan, being duly examined before the undersigned, according to law, on the annexed charge, and being informed that he was at liberty to answer or not all or any questions put to him, states as follows, viz:

Question. What is your name?
Answer. Stephen Geoghegan.
Question. How old are you?
Answer. Twenty-two years.
Question. Where were you born?
Answer. In Ireland.
Question. Where do you live?
Answer. Thirty-ninth street and Second avenue.
Question. What is your occupation?
Answer. Liquor dealer.
Question. Have you anything to say, and if so what, relative to the charge here preferred against you?
Answer. I am not guilty.

STEPHEN GEOGKEHAN.

Taken before me, May 30, 1863.

JNO. QUACKENBUSH, *Police Justice.*

This certifies that John Mahon was admitted to the New York hospital May 14, 1863, with a pistol shot wound of the thigh. His wound is not considered a dangerous one, and it is thought he will recover without any serious consequences.

J. T. KENNEDY,
Resident Surgeon, New York Hospital.

MAY 15, 1863.

EXHIBIT No. 15.

List of names on poll-list 15th district, 18th ward, not included in paper marked as Exhibit B, on behalf of Mr. Dodge.

A.

Allen, John
Allen, William
Apple, Adam

B.

Brady, Matthew
Bernhold, Paulins
Burke, Michael
Blake, Patrick
Britt, Patrick
Bender, Charles
Bernard, Michael
Bernard, Fred.
Brand, John
Brose, William
Britler, Geo.
Bresner, Michael
Burke, Miles
Brennan, Peter
Bule, Geo.
Beglan, Brian
Bender, Conrad
Brady, Charles
Bowen, James
Baker, Andrew

C.

Conner, Morris
Coughlan, Thomas
Collins, Jno.
Canon, Jno.
Carroll, Edward
Clyne, Thomas
Calligan, Francis
Cardell, Christian
Callahans, Michael
Cannon, Michael
Conoley, Patrick
Collins, Edward
Cunningham, Thomas
Conway, Patrick
Cander, Henry
Carney, John
Clark, James
Conlan, Patrick
Cunningham, Dickler
Collins, Edward
Crawford, James
Coleman, Owen
Cunningham, Lawrence
Coster, John G.
Cartwright, Peter.

D.

Dunn, Thomas
Donigan, Patrick
Dougherty, Edward
Daly, Dennis
Duffy, John
Duffy, James
Dalton, Thomas
Downes, William
Delaney, Richard
Dolan, Patrick
Douglas, John
Doonan, Patrick
Donohue, John
Dunster, Michael
Dunn, Michael
Donnelly, John
Donohue, Matthew
Durmish, George
Donnelly, Arthur
Duffin, Lawrence

E.

Eugneau, Bernard

F.

Foley, James
Fanning, Michael
Ford, Daniel
Frew, Alexander
Flynn, Edward
Fitzgerald, Thomas
Farrell, C. A.
Fogerty, Timothy
Farrell, John
Flood, Edward
Farley, Francis
Foley, William
Farrell, Michael
Flood, James
Fowler, Thomas
Fagan, Thomas
Fay, David
Flaherty, Thomas
Freise, Stephen
Fitzgerald, Thomas
Fiegel, Philip
Farrell, Dennis
Fitzgerald, Edward

G.

Green, James
Gosserd, Valentine
Geisler, Louis
Gallagher, Francis
Gallagher, John
Gilligan, Patrick
Graham, George
Graham, William
Goughfrau, Henry
Garvin, Martin
Green, Barth
Gillespie, Daniel
Goruley, James

H.

Hunicle, Henry
Hullich, Louis
Hine, Nicholas
Honeleyer, Frederick
Hanley, James
Hogan, James
Hastings, Thomas
Hughs, James
Hennessy, John
Hill, Richard
Hortan, Patrick
Hain, Frederick
Hammel, James
Hastings, Miles

J.

Johan, Bernard
Jouy, Frederick
Johnston, Bernard
Itunur, Fred.

K.

Kenebeek, Conrad
Keely, Dennis
Killow, Thomas
Killow, John
Kratsch, Louis
Koce, Adam
Keneback, Louis
Kernan, Thomas
Klyne, John
Keefe, John
Kain, Lawrence
Klymes, Patrick
Kehoe, Dennis
Kelly, James
Kelly, Patrick
Killer, Wolfgang
Kelly, Michael
Killen, Patrick
Kenney, Michael
Killen, John
Krowser, Henry
Kennedy, Jeremiah F.

L.

Ling, Michael
Lyons, Michael
Loomis, William
Lender, Valentine
Luidengritts, William

M.

McCullough, John
Merkle, John
McClowry, Patrick
McBride, Thomas
McClellan, Edward
McDermot, Michael
Mitchell, Christian
McNemmarra, Patrick
McGovern, Thomas
McCormick, Patrick
Meade, John
Minor, Patrick
McManus, John
McAuliffe, Daniel
Marshall, John A.
Marshall, George
Murphy, Jeffrey
McKeon, Thomas
Mulligan, Francis
Murtha, James
McNamee, Hugh
McNamee, Patrick
Miller, Martin
Mehan, Wm.
McAuley, Anthony
Mulligan, Michael
McCannon, Henry
McGee, Arthur
Mahon, Thomas
Mullan, Francis
McClovey, Patrick
McDouled, Thomas
McCarty, Peter
Manning, Bernard
McNally, James
Manahan, Thomas
McGlenn, Patrick
McGarney, Hugh
Murtha, Lawrence
Mulvey, James
McNally, James
McCullough, Patrick
Martin, John
Moore, Thomas
McPeck, John
McKedrick, Michael

N.

Nickle, Thomas

O.

O'Neill, Thomas
O'Neill, Robert
O'Neill, Dennis
O'Brien, Michael
O'Merna, Jeremiah
O'Brien, John
O'Donnell, John
O'Brien, Jeremiah
O'Brien, Charles
O'Neill, Charles

P.

Patterson, Wm.
Peterson, Geo.
Pasouker, John
Phaalan, Dennis
Peterson, Philip

Q.

Quinn, Philip

R.

Rogers, Peter
Rigney, John
Ray, Samuel
Ryan, Patrick
Ritter, Francis
Rowan, John
Ruhler, William
Rourke, John
Riley, John
Rure, Martin
Reichold, Theodore
Ritter, Christian

S.

Saigler, Lawrence
Shilling, William
Sturgle, Frederick
Shelter, Andrew
Sands, John
Schwabacher, Joseph
Sanger, Philip
Snyder, John
Smith, William
Schougart, Frederick
Shea, David
Sheridan, Patrick
Sanderson, Thomas
Savage, Lawrence
Shinler, Charles
Smith, John
Sheridan, Patrick
Shannon, Mathias
Sweeney, Jeremiah
Smith, Thomas
Sandley, James
Stevens, James
Sullivan, Patrick
Sheridan, James
Smith, John
Scully, Edward
Sullivan, Dennis
Sanderson, William
Scully, Patrick

T.

Thompson, James
Taggart, James
Toumey, John
Teasdell, Robert

V.

Veigel, Godfrey

W.

Werth, Charles
Ward, John

Wolf, Martin
Weig, Francis
Woods, Morris
Walter, Conrad
Werner, John

Witmeyer, Joseph

Z.

Zilch, Henry

EXHIBIT No. 16.

List of variances between paper marked as Exhibit B, on behalf of Mr. Dodge and the poll list of the fifteenth district, Eighteenth ward.

Hanigan, Peter, No. 289 E. 14th st...	Not Lanigan, Peter.
McCarty, Bernard, No. 297 E. 14th st..	Not No. 299 E. 14th st.
Bosbee, Charles, No. 307 E. 14th st...	Not Boske, Charles.
Faukle, Laurens, No. 301 E. 14th st...	Not Faulke, Lawrence, 501 E. 14th
Wierle, Jacob.....	Not Wievel, Jacob.
Williams, Aaron.....	Not Williams, Amer.
Selotus, Thomas, No. 259 E. 17th st ..	Not No. 259 E. 15th st.
Boylan, Charles, No. 255 E. 16th st...	Not No. 255 E. 15th st.
Redilwitt, Rich'd.....	Not Bedtywith, Richard.
McRack, John.....	Not Ratek, John.
Sands, Chas., No. 245 avenue B	Not No. 247 E. 15th st.
Clark, Owen J.....	Not Clark, Owen P.
McCalidan, Jno., No. 561 E. 16th st...	Not No. 261 E. 16th st.
Gilligan, Patrick, No. 273 E. 15th st...	Not No. 276 E. 16th st.
Breardan, James, No. 349 E. 16th st...	Not No. 549 E. 17th st.
McGarney, Hugh	Not McGarvey, Hugh.
McKeon, Patrick, No. 257 E. 16th st..	Not No. 251 E. 16th st.
O'Connor, Martin.....	Not O'Conner, Mortimer.
Ray, David.....	Not on poll-list.
Coughfinberger, Peter	Not Coughfinberger, Patrick.
Hines, James, No. 517 E. 16th st.....	Not Zines, James.
Hank, Michael, No. 571 E. 16th st....	Not No. 511 E. 16th st.
Kranne, James	Not Crane, James.
Finnan, Jno.....	Not Finnigan, Jno.
Manning, Samuel	Not Manning, Daniel.
Bowen, John, No. 222 avenue A	Not No. 524 E. 16th st.
McConner, Bernard	Not McCorner, Bernard.
McDermot, Philip, No. 247 E. 15th st.	Not No. 516 E. 16th st.
Madden, Joseph.....	Not Madden, John.
Walling, Patrick, No. 276 E. 16th st..	Not No. 514 E. 16th st.
Farrell, Thomas, No. 516 E. 16th st ..	Not No. 512 E. 16th st.
Kerns, John, No. 221½ E. 17th st	Not No. 222½ E. 17th st.
Reslet, Robert.....	Not Resler, Robert.
Wensker, John.....	Not Wensteer, John.
Loughly, Wm.....	Not Coughly, William.
Herr, Emil	Not Hene, Emil.
Benford, Michael	Not Renford, Michael.
Keisman, Thomas.....	Not on poll-list.
Brithmeser, Peter.....	Not Brithaveser, Peter.
Bosdis, Charles, No. 212 avenue A....	Not No. 245 avenue B.
Coman, John.....	Not Curran, John.
Nalley, James, No. 278 avenue B	Not No. 273 avenue B
Herr, Chris	Not Hene, Chris.

Preston, Hugh	Not Ruston, Hugh.
Daily, David	Not Dailey, Daniel.
Burns, Owen, No. 251 E. 15th st	Not No. 266 avenue B.
Riley, John, No. 264 avenue B	Not No. 254 avenue B.
Pinkerton, James, No. 268 avenue B	Not No. 264 avenue B.
Garvin, Dennis, No. 266 avenue B	Not Garom, D., No. 268 avenue B.
Henyer, Alexander, No. 254 avenue B	Not No. 242 avenue B.
Kaull, Andrew	Not Karll, Andrew.
Kannon, Wm., No. 512 E. 16th st	Not No. 210 avenue A.
Applewitz, Michael	Not Afpalerty, Michael.
Killieber, John, No. 242 avenue A	Not No. 238 avenue A.
Cofflee, Chas	Not Copler, Chas.
Lander, William, No. 222 avenue A	Not No. 232 avenue A.
Propts, Adam, No. 238 avenue A	Not Propts, Abram, No. 211 avenue A.
Segler, Baltzar	Not Segler, Ballyar.
Turnleyer, Fred	Not on poll-list.
Brennan, Pat'k, No. 255 avenue A	Not Bauman, P., No. 222 avenue A.
Schere, Adam	Not Rurr, Adam.

HOUSE OF REPRESENTATIVES,
February 22, 1865.

DEAR SIR: I am in receipt of your note of this date, inquiring whether it could be agreed by parties to a contested election case to extend the time for taking testimony beyond the sixty days provided by law, so that the testimony would be received and recognized as properly taken by Congress. What is the practice here in that regard? There have been, since I have been upon the committee, repeated instances of the extension of the time by agreement, and no question ever raised as to the validity or propriety of the proceeding. Several in the present Congress, one where answer and all proceedings after notice were postponed by agreement till after the adjournment two years ago—Rice *vs.* Sleeper—a closely contested case. This was done at the request and for the convenience of Mr. Rice, engaged here.

You also inquire about the case of Vallandigham *vs.* Campbell, in this regard. Mr. Campbell was, at the time of taking the testimony in that case, chairman of the Committee of Ways and Means, and begged for an extension of time by agreement, because he could not leave his duties here. It was refused by Mr. Vallandigham. Mr. Campbell's political friends here thought it very hard treatment, and he asked the House, for that reason, to grant him a further time to take testimony. Mr. Campbell's friends all voted to give him the further time, and Mr. Vallandigham's friends all voted against it. It was made a subject of great complaint by Mr. Campbell's friends. It was then the freely expressed opinion of those friends of Mr. Campbell, that as neither party could suffer by a mutual agreement for postponement, it was not quite right to compel Mr. Campbell to leave his duties here to take depositions.

I do not desire, of course, to interfere with any one's idea of his rights or duty in what I have said, but only to answer your inquiries.

I am, truly, yours,

H. L. DAWES.

Hon. JAMES BROOKS.

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